APRIL 1991

RICK HENDERSON: THE WETLANDS GRAB

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# reason

FREE MINDS & FREE MARKETS

Cryonicists freeze the seemingly dead—sometimes whole bodies, sometimes just heads—in an attempt to preserve them until they can be restored and revived. It's easy to dismiss such people as fools, ghouls, or charlatans. But the

# FREEZE!

struggles of the cryonics movement are not about the merits of cold storage. They're about the right to dispose of your remains—in a vat of liquid nitrogen if you prefer—and to hasten your death, or to try to postpone it indefinitely.

BY JACOB SULLUM

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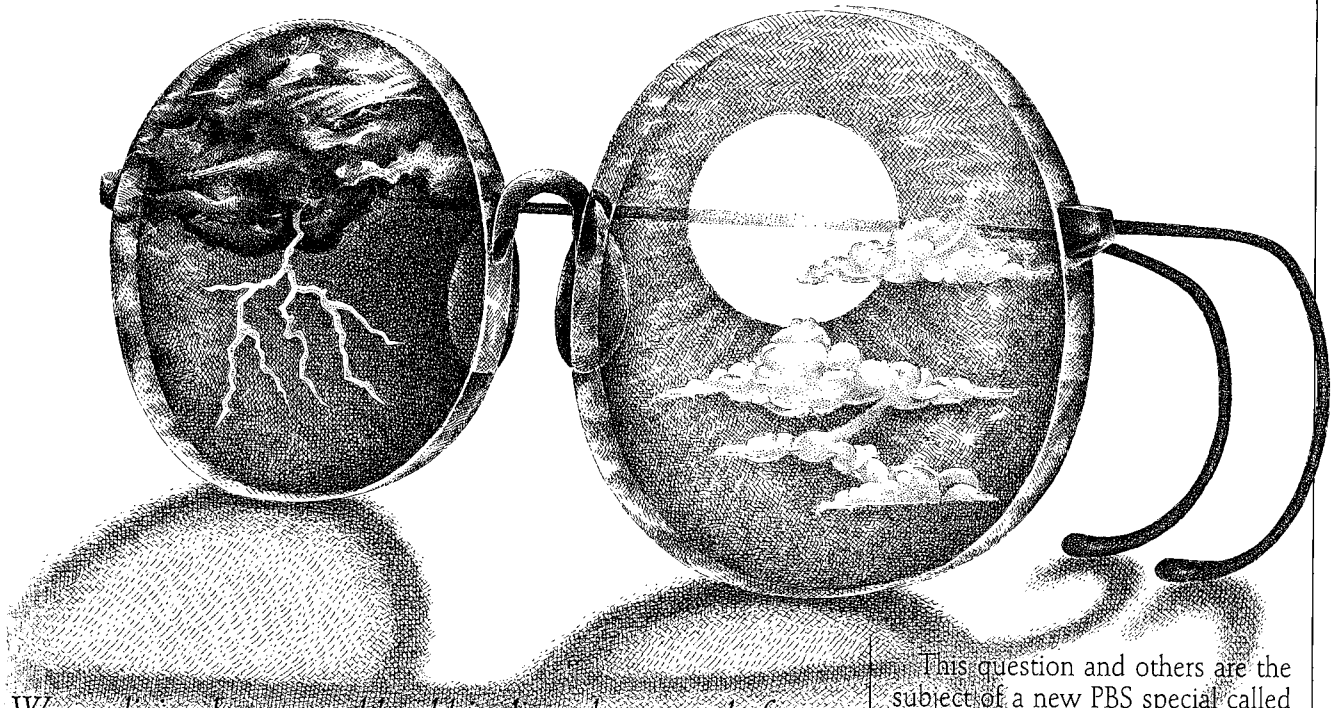
OUR PERCEPTIONS OF RISK DON'T ALWAYS AGREE WITH THE REALITIES.

# DO WE REALLY KNOW RISK WHEN WE SEE IT?

OUR PERCEPTIONS of risk affect where we live, where we work, even what we eat and drink. But how do we really know what is risky?

One way to judge risk is with probabilities. For example, the odds you'll be struck by lightning in the next hour are one in 600,000.

But most of us judge risk in a slightly less scientific manner. We see a news report about a fatal plane crash. So we worry about our next flight. Yet, in 1989, out of 7,625,000 commercial flights in the U.S., there were only 11 fatal crashes killing 278 people. Meanwhile, almost 50,000 people died from a form of travel few of us fear, the car.



*We are living longer and healthier lives than ever before. Yet, from airplane accidents to reports of "poisonous" apples, it seems we face new dangers every day. Are we the safest people ever, or are we the most at risk?*

Why? One theory is that we feel safer when we're in control. In a plane we are mere passengers. But in a car we're behind the wheel. We tend to forget the uncontrollable elements that make driving so dangerous—other drivers may be inexperienced, tired or even drunk.

Perceptions of risk like this affect the decisions we make not just as individuals but also as a society. From earthquakes to pesticides on our foods, do the things we worry about really pose a bigger risk to our safety than the things we don't worry about?

This question and others are the subject of a new PBS special called "Living Against the Odds." A program hosted by Richard Lewis, and produced by the WGBH Science Unit in association with the World Wildlife Fund, and brought to you by the people of Chevron.

Tune in Wednesday, April 3 at 8:00 pm. Check your local listings for show times on PBS.

*Do people believe there's a benefit to seeing the realities of risk?*

People Do.

Chevron

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# reason

*Free Minds and Free Markets*

*April 1991/Vol. 22, No. 11*


## FEATURES

**22**
**Cold Comfort**
Jacob Sullum
Immortality gets a cool reception from government authorities.

**30**
**The Swamp Thing**
Rick Henderson
Do wetlands have to be wet? Not if the government wants to grab them.

**36**
**The Brainchild of Earnest Gentlemen**
Jeff Lipkis
What went wrong with liberalism. Or, from Cobden to Dukakis in four generations.


## EDITORIALS


**4**
**Cybernetic War**
Virginia I. Postrel
Postmodern strategies.

**6**
**The Home Front**
Rick Henderson
The war on taxpayers.

**8**
**In Memoriam: Philip E. Fixler, Jr.**


## COLUMNS


**42**
**War: Surgical Strikes**
T.A. Heppenheimer
Terrorists plus smart bombs could equal trouble for the United States.

**46**
**The Law: Curfew Craze**
John Hood
Leave those kids alone.

**48**
**Czechoslovakia: People's Capitalism**
John H. Fund
A frontal assault on socialism.

**58**
**Selected Skirmishes: I, Warmonger**
Thomas W. Hazlett
*@#% Saddam.


## THE BOOK CASE


**49**
**The Decline and Fall of the Soviet Empire**
Vladimir Tismaneanu
*From Yalta to Glasnost: The Dismantling of Stalin's Empire,* by Agnes Heller and Ferenc Fehér

*Lighting the Night: Revolution in Eastern Europe,* by William Echikson

**51**
**Generation Gaps**
Karl Zinsmeister
*Beyond the Boom: New Voices on American Life, Culture & Politics,* edited by Terry Teachout

**53**
**Mad Lib**
Stanton Peele
*Madness in the Streets: How Psychiatry and the Law Abandoned the Mentally Ill,* by Rael Jean Isaac and Virginia C. Armat

*Out of Bedlam: The Truth About Deinstitutionalization,* by Ann Braden Johnson

**55**
**Trouble in the Tropic of Cancer**
Michael Fumento
*The Cancer Industry: Unraveling the Politics,* by Ralph W. Moss

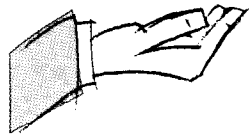
**57**
**Brief Review**
*Meltdown: Inside the Soviet Economy,* by Paul Craig Roberts and Karen LaFollette


## DEPARTMENTS

**10**
**Letters**

**16**
**Trends**

**20**
**Brickbats**

*Cover design by Andrea Reibsamen*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# CYBERNETIC WAR

VIRGINIA I. POSTREL

We didn't expect this desert war. We expected tanks in Germany, backed by nuclear missiles. We expected limited, dirty, jungle wars fought mostly by local proxies. But not 65,000 air sorties against Iraq. That we didn't expect.

The Gulf War marks the beginning of post–Cold War conflict. That much is uncontroversial. But there is more. This war suggests a new pattern for warfare itself, massive in scale but not the "total war" that has defined large-scale combat in the modern era. The Gulf War is not just the first post–Cold War war. It is the first cybernetic war.

*Cybernetic* suggests high technology, and much has been made recently of high-tech weaponry and of high-tech journalism. But modern warfare has always been distinguished by its use of technology, from repeating rifles to tanks to atomic bombs. And technology has always driven warfare, and vice versa, from the stirrup onward.

What really distinguishes cybernetic warfare is that it substitutes machines for manpower, capital for labor, brains for brawn. Like modern warfare, it may be conducted on a large scale. But, unlike modern warfare, it does not emphasize mass production, mass destruction, or mass man. It is not about cannon fodder, however well armed.

*Cybernetic* comes from the Greek word for *helmsman* and, more fundamentally, from the verb meaning *to steer*. The term suggests precision, the precision of cruise missiles and smart bombs, of those videotaped hits that have led some to call this a "Nintendo war." Cybernetic warfare allows combatants to steer away from civilians, toward military targets. It need not inflict mass casualties.

To steer in a cybernetic war requires both knowledge of the route and control of the vessel. That's why shutting off command-and-control centers—in effect, blinding enemy commanders and shutting down their army's nervous system—has been such a major goal of allied bombing runs. It is why intelligence gathered by satellites has given the United States such an advantage. And it is why the warring parties so want to control or manipulate the civilian nervous system, the worldwide telecommunications network.

Substituting hardware for human soldiers has several implications. It injects economic and strategic value into the equation most people would call common moral sense—that soldiers shouldn't be put in harm's way when machines can be used instead. Each soldier becomes more valuable, with greater specialized training and skills tailored to the mission. In cybernetic warfare, you don't send a helicopter pilot to do a job a drone could perform. You don't risk a bomber crew when a cruise missile will do.

This philosophy, in turn, suggests a different kind of armed force, one that relies not on mass mobilization but on professional soldiers. The volunteer military is not only fitting for a free society, it is right for a cybernetic war. You need fewer soldiers but must invest lots of time and money to train each one. As a result, you don't require—or even want—the kind of mass, untrained force that conscription provides.

Cybernetic warfare restores civilian status, a status that modern warfare wiped out. The return to volunteer forces does this most profoundly. But modern warfare—which began with the American Civil War and reached its apex in World War II— relied on a huge industrial plant to turn out masses of standardized, and easily expendable, weapons. Most of the weapons were produced during wartime, with civilian society subordinated to the war effort. "Everyone pulled together," say those nostalgic for WWII. Everyone was conscripted.

And, where the bombers could reach, everyone was a target. Terror bombing was a matter of doctrine. In its most decadent Cold War form, modern warfare made hostages of entire populations in the name of Mutual Assured Destruction.

By contrast, cybernetic warfare's precision weapons can—given adequate intelligence and a military doctrine that eschews terrorism—differentiate between civilian and military targets. And weapons can be developed during peacetime, by people as specialized as the soldiers who will use them. Cybernetic warfare draws not on a mass industrial base but on the advantages of an innovative, educated, and free society. Total mobilization of civil life is neither necessary nor desirable.

But if cybernetic warfare insulates civilian life in some ways, it exposes civilians to warfare in others. Most obviously, the same technological base that makes possible precision weapons and satellite intelligence also permits live TV reports. We now have a supernational, instantaneous, worldwide communications network. Its most prominent and controversial component is CNN, but it encompasses everything from ham radio and amateur videotapes to international faxes and the good old BBC. When people want to seize power in Manila or Vilnius, they first take over the TV station. When a government wants to silence opposition, it cuts the phone lines.

Scripts by George H. Smith, Wendy McElroy & Jeffrey Hummell.

# America's Wars . . .

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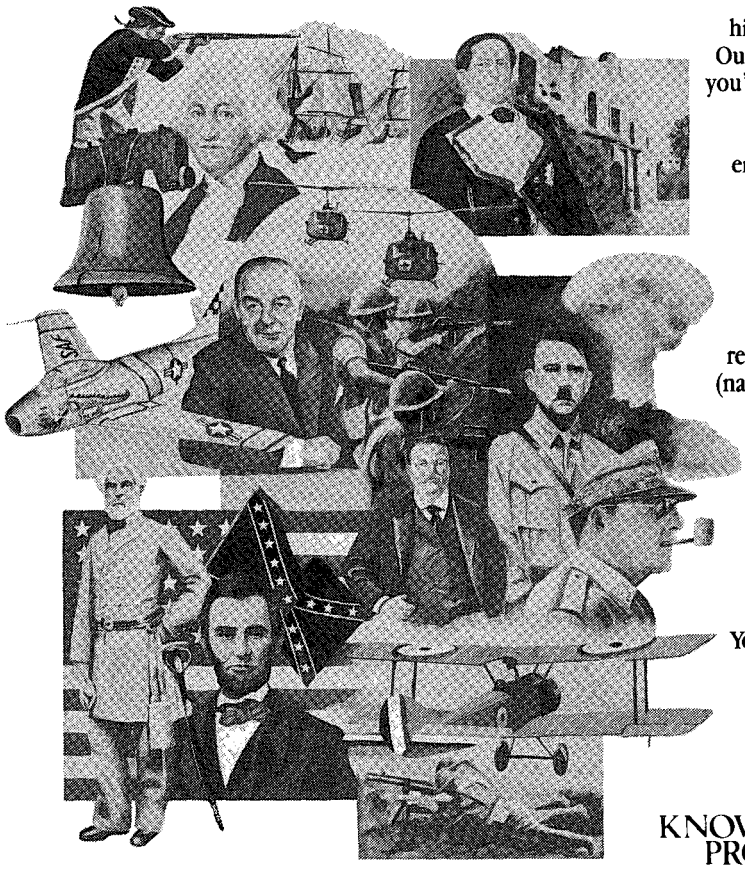

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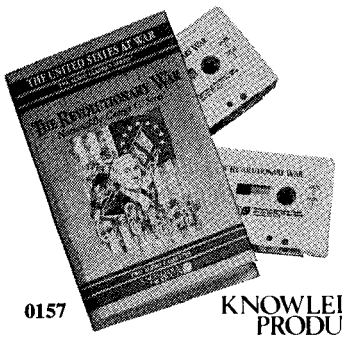

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The communications net has odd effects, effects nobody is used to. Information is power and, in wartime, that power can prove quite destructive. Instantaneous reports on where missiles land give those launching them valuable feedback, exposing their targets to greater danger. "Where are your troops? And can I go there and count them?" asked the Baghdad reporter in the "Saturday Night Live" version of a daily press briefing.

The greatest fear of press reports seems to be that they will weaken Americans' will to fight by showing burned children and bombed-out buildings—even precision strikes have consequences. By restoring civilian status, cybernetic warfare raises ethical standards and expectations; it reestablishes some notion of the just war. And the cybernetic media, who extend the eyes and ears of distant witnesses, create empathy where there might otherwise be insulation. They remind the home front of the common humanity they share with those at the battlefront. To the discomfiture of politicians, they will not let us forget that war is terrible and that societies that conduct wars ought not be fooled about its terrors—that Kenneth Branagh's muddy, bloody Agincourt, while equally a work of art, is truer to history than Laurence Olivier's sunny, uplifting triumph.

Cybernetic warfare isn't an antidote to the general evils of war. And, although it avoids some of the ills of modern warfare, its unique character could introduce new and equally undesirable effects. It could produce a warrior class isolated from civil society, and a civil society isolated from its soldiers. It could result in creeping militarization, as the military bureaucracy expands in peacetime. It could make war more likely, by insulating civilian decision makers from the consequences of their decisions.

And one may counteract a cybernetic threat with terror, by striking at distant civilians in hopes of weakening their resolve. One may deliberately mingle civilian and military targets, either by using human shields or by putting military facilities in the same buildings with civilians. One may strike not at an enemy's industrial plants, but at its intellectual and communications capacity.

Ultimately, cybernetic warfare may prove another form of total war. How it develops depends on the moral choices and political structures of the societies that conduct it. But, for now, it offers a tantalizing promise that the century from which war exacted its greatest toll—in lost hopes as well as lost lives—may end with some restoration, if not of peace, then of restraint.

# THE HOME FRONT

RICK HENDERSON

Even as military strategists in the Persian Gulf site their next targets, a campaign within our borders moves ahead. This domestic war—ostensibly a call for national sacrifice and fairness—targets taxpayers and threatens our ability to recover from the recession.

For a sizable number of protesters, the war is simply a news peg, an excuse to trumpet their favorite cause. In a *Los Angeles Times* op-ed piece, three Institute for Policy Studies staffers complained that the war prevents spending on government education, child care, and jobs programs. Soon after the war broke out, ACT-UP activists disrupted broadcasts by Dan Rather and Robert MacNeil, chanting, "fight AIDS, not Arabs." The perpetual picketers in Lafayette Park portray the war as a racist scheme pitting blacks and Latinos against Arabs.

But other critics specifically raise the question of economic fairness. Senate Majority Leader George Mitchell, perhaps signaling a surtax on millionaires, said in the Democratic response to the State of the Union address: "We've got to bring the deficits down and the jobs home. The president's way to do that is to give huge tax cuts to those with incomes over $200,000 a year. We disagree."

Sen. Paul Simon (D-Ill.) wants new taxes to pay for the war. He told a Capitol Hill hearing, "It is not right to expect the only people to sacrifice to be the troops in Saudi Arabia and their families." In a *Wall Street Journal* column, Harvard's Robert Reich called for a 40-percent income tax on people earning more than $100,000 a year, to pay for the war.

On the "MacNeil/Lehrer News Hour," Julianne Malveaux, a U.C.-Berkeley economist, contended that the war costs nearly $1 billion a day. "Six months of war would mean $180 billion," she said. "It would double our deficit!" She called for windfall profits taxes on oil companies and higher taxes on the rich.

The leaders of this campaign portray a war tax as a fiscally responsible measure. The country is $3 trillion in debt, they say. Why add red ink?

These critics misstate the economic costs of the war and responsible measures to deal with them. On the same "MacNeil/Lehrer" segment, Charles Schultze of the Brookings Institution pointed out that much of the war's economic costs had been paid long before the shooting started. Patriot missiles and artillery shells were purchased as long as two decades ago; members of the standing army would get their salaries whether or not they were in the gulf.

Schultze also noted that the military rearmed itself in the 1980s to respond to the Soviet threat. If the Evil Empire no longer expands, we can spend several years restocking our armories. We won't replace weapons that use outdated technology. And with the country in recession, a tax increase would further depress the economy and burden social-insurance programs. Writing in the *Los Angeles Times*, Laura D'Andrea Tyson, another Berkeley economist and hardly a conservative, agrees. "It is a foolish policy," she says, "to make ourselves poorer to balance the budget."

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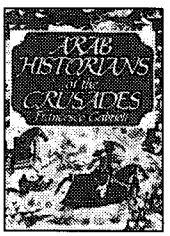


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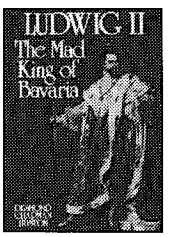


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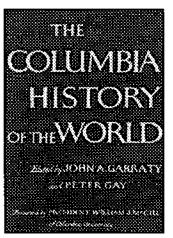


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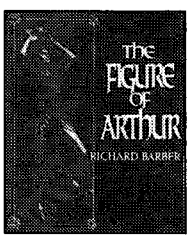


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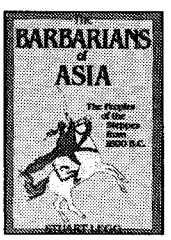


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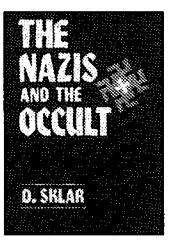


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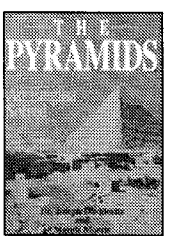


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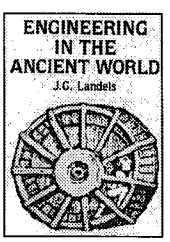


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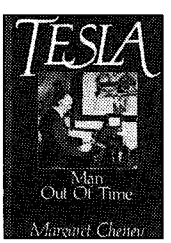


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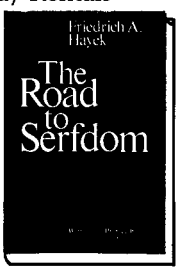


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## EDITORIALS

Rep. Dick Armey (R-Tex.) offers a better way to pay for the war: Cut other government spending. Armey says the time is right to cut subsidies to rich farmers and slash other wasteful programs. Schultze agrees, noting that the nation doesn't have to be at war for the government to cut unnecessary spending.

And gratuitous rich bashing won't shrink the deficit. The vaunted luxury tax enacted last summer will bring in less than $1.5 billion over the next five years; it may cost the IRS more than that to collect it. If income tax rates go up, wealthy Americans will simply shelter their riches in tax-free havens. And greater tax revenue will simply encourage more spending by the money-hungry in Washington.

George Bush shares the blame for this fiscal-policy muddle. By abandoning Gramm-Rudman-Hollings and the threat of sequestration, his proposed 1992 budget will add $700 billion to the national debt over the next three years. Since neither Congress nor the administration will meaningfully cut spending, as debt mounts, both sides will see higher taxes as the only response.

The war in the gulf will have enormous economic, political, and human costs. But the greedy spenders waging their domestic war seem annoyed that Saddam Hussein would sidetrack their campaign. Even after the shooting ends overseas, tax cutters at home will need to keep their powder dry.

### IN MEMORIAM:

# PHILIP E. FIXLER, JR.

Phil Fixler died early in February, after a nine-month battle with cancer. He had recently turned 44. Though not part of REASON magazine, Phil was long one of the mainstays of its parent organization, the Reason Foundation.

Phil joined the Foundation in 1984, after 10 years with the City of Los Angeles. As a dedicated libertarian (Ph.D. in political science from the University of Southern California), he had always been somewhat frustrated working for a municipal bureaucracy. When we advertised for someone to head the Foundation's new Local Government Center—to research and write about privatization of government services—Phil jumped at the chance.

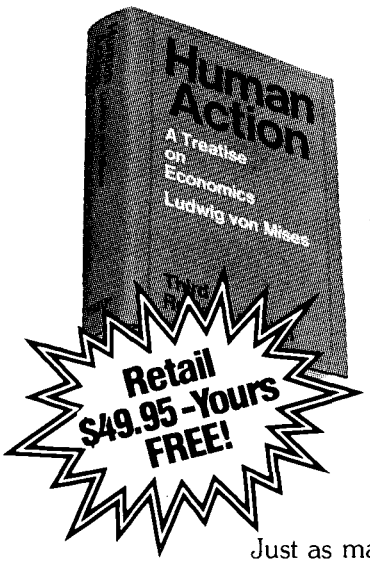
In his new position, Phil quickly became an expert on the growing movement toward contracting city, county, and state functions to private firms. He wrote and spoke widely on the subject, and greatly expanded our files and research library. It was an ideal way to combine his background in city government, his knowledge of politics, and his free-market principles.

Phil helped to build the Reason Foundation into one of the world's leading centers of expertise on privatization. Requests now come in from across the country and around the world on a daily basis.

Over the years, Phil's reputation as a privatization expert brought him speaking invitations—to Paris, London, Honolulu, and even Fiji. He headed applied-research projects that took him to Florida, North Carolina, Sacramento, and Saskatchewan. Besides the glory, there were long and grueling hours of detail-work. For many years, Phil was one of our Saturday-morning regulars here at the Reason Foundation.

Phil has bequeathed his extensive library to the Reason Foundation, where it will bear his name and help to keep alive his memory. His family has asked that any memorial gifts be given to either the Reason Foundation or the American Cancer Society.

**—Robert W. Poole, Jr.**

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# LETTERS

## March Straight

Jacob Sullum reports how the Army mishandled the case of a homosexual sergeant ("The Gay Bar," Jan.) but then draws the wrong conclusions. He believes the Army should reverse its unjust and irrational policy and retain homosexuals in its ranks. He may think of units in a peacetime garrison and see personnel in an office environment shuffling papers between the "in" and "out" boxes. He may forget what the Army looks like in the field.

The homosexual problem may be surmountable outside the Army—in some units of the fleet arm of the Navy and in the Air Force—and also in Army support branches. But not in the combat branches. And least of all in infantry units, whether Army or Marine Corps.

Take a rifle platoon in the front line with the enemy on the next hill. No privacy, no free time, no dating in the nearby town. The unit is held together and survives through the loyalty between the soldiers. Patrols are sent out on dangerous missions, and risky assignments of a type unknown elsewhere are continually made. The unit functions only so long as these hazardous missions are perceived to be rotated fairly.

Introduce the opposite sex, or a third sex, and disruptive entanglements develop. Then, when the dangerous missions are assigned, there will be the suspicion that someone is being either shielded or targeted. The trust is broken and so is the unit.

Would Sullum have a homosexual command a unit of male soldiers in the field? That would not be far from having a heterosexual male command an all-female unit. Return to Earth, Jacob Sullum!

Presumably, the Army prefers a rule applicable to all of its branches that simplifies the design of career ladders and favors fair promotions. Perhaps a change would still be workable in some sectors, but not in the infantry. Its business is too serious to justify a reduction in effectiveness in order to admit a disruptive element. The Army is not the place for equal employment opportunity; it has to function.

*Bo Thott*
*Cutler, ME*

JACOB SULLUM PRESENTS the case of Sgt. Watkins as an example of the Army's hypocrisy because from 1967 to 1982 the sergeant was allowed to serve and then was released because of his avowed homosexuality.

No mention is made of the circumstances surrounding the Watkins case. Too many people forget that prior to 1972 homosexuality was considered a "pathological condition" by no less than the American Psychiatric Association. Twenty years ago, a good soldier with Watkins's proclivities would not raise eyebrows or cause problems if they were part of his "private" life.

But in the early 1980s the closet door was opened, and homosexuality was no longer considered a vice. It became an alternative lifestyle to be trumpeted as perfectly acceptable. This is probably what caused the U.S. Army to take another look at an exemplary soldier. It is one thing to have proclivities the majority does not condone. It is quite another to brag about them.

To give homosexuality the same status as being black is to neglect to separate the action from the person. The innocent black person is disadvantaged *as a person* because of the color of his skin. Homosexuality, on the other hand, is not a problem unless the person is *acting* in that manner. Proclaiming sexual proclivities that the majority of people do not consider sane, healthy, or worthwhile does not afford one the status of an in-

nocent minority who by no action on his part is discriminated against.

*Francis M. Reps*
*Los Angeles, CA*

**Mr. Sullum replies:** As I noted in my editorial, Army rules target sexual preference per se, not just sexual behavior. Under the regulations, homosexuality is a status crime; anyone with homosexual tendencies, whether or not he or she acts upon them, is barred from serving. To follow the course recommended by Mr. Reps, gay soldiers would have to violate regulations by lying when asked about their orientation.

### Mild Prodigy

Greg Costikyan's "Closing the Net" (Jan.) was an excellent summary of Operation Sun Devil. Mitch Kapor is to be congratulated for his insight and courage. He and John Perry Barlowe have extended our understanding of computers with their paradigm, the "electronic frontier."

It is therefore disappointing to report that the Electronic Frontier Foundation has lost its ideological bearings and is adrift on a range-of-the-moment sea of issues without context. Specifically, the December 10 *EFF News* contained a condemnation of the Prodigy online service for "censorship."

Prodigy, a joint venture of Sears and IBM, is an electronic shopping mall. When some subscribers attempted to hold Christian-vs.-gay debates, they were curtailed. Prodigy system operators interfered with other ideological messages and electronic mail.

In a flurry of ideological confusion, *EFF News* said the Prodigy experience "illustrates the fallacy that 'pure' market forces always can be relied upon to move manufacturers and service providers in the direction of open communications. A better solution, we believe, is a national network-access policy that, at the very least, encourages private providers to generate the kind of open and unrestricted network and mail services that the growing computer-literate public clearly wants."

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# The U.N. and the Middle East
## Is it a proper forum to sit in judgment

From following what's happening in the United Nations it's easy to come to the conclusion that Israel is the source of most of the problems in the world. And that, if Israel were only less "intransigent" and if it would yield the administered territories of the "West Bank" and Gaza, peace would descend on the Middle East.

### What are the facts?

■ The United Nations seems obsessed with Israel. The level of U.N. preoccupation with Israel is totally out of proportion with events in that country. In the course of the last ten years, the General Assembly has entertained 175 hostile resolutions dealing with Israel and the "Palestinian problem". During that entire time it did not once criticize any of the Arab countries. Every year, the General Assembly goes through the charade of considering the expulsion of Israel from the United Nations. In 1985, the General Assembly of the U.N. covered itself with everlasting shame by declaring that Zionism is racism. The Security Council has proposed numerous anti-Israel resolutions during the last three years. All of them would have passed unanimously or with lopsided majorities had it not been for vetoes of most of them by the United States.

■ Recently, the attention of the United Nations was particularly engaged by two incidents in Israel, namely the killing of seven Arab laborers by a demented Israeli solitary gunmen, and by the death of 17 Arabs on the Jerusalem Temple Mount. In that incident, a mob of 4,000 Arabs, thrown into a frenzy by their clerics, loosed fusillades of rocks and other missiles on Jewish worshippers gathered for prayers by the Western Wall. In both cases, the Security Council dropped all other business, promulgated anti-Israel resolutions and requested that teams of "observers" be sent to Israel, presumably to report on the alleged abuses perpetrated on the "Palestinians" by that country and by its government. One wonders why, regardless of the merits of the anti-Israel accusations, any "observers" at all would be required. Israel, and the territories administrated by it, are not some remote region in some outlying area of a dark empire. There are more journalists, photographers, television crews, reporters, parliamentary delegations, professional groups, fact finding missions, and human rights activists there than in any other spot on the globe. Never in modern history has there been a spot so microscopically and so meticulously inspected as the small country of Israel. One questions why a delegation of U.N. observers would be required and what mischievous purposes their observations could possibly serve.

■ The obsession of the United Nations with Israel and its alleged violations is the more remarkable considering that organizations's total disregard of the unspeakable barbarities of so many other nations in the Middle East. For instance, the Security Council meeting that resolved to send a delegation to Israel to investigate "abuses" was inspired by the PLO, whose numberless outrages -- including the killing of Israeli athletes at the Munich Olympics, the bombing of tourist buses, old-age homes, synagogues, airports, airliners, and so much more -- have never received the slightest attention by the U.N. Nor have the unspeakable human rights abuses and sickening crimes by the Arab states ever been discussed in that body. These crimes, instigated and supported by Arab governments, include the slaughter in 1982 of over 20,000 Syrian citizens in Hama, at the command of Hafez Assad, that country's president (and our most recent ally!); the poison-gassing of over 5,000 Iraqi Kurdish citizens by Saddam Hussein; over 100,000 Lebanese civilians killed by PLO gunmen, and other militias and terrorist groups; Egyptian troops cold-bloodedly killing over 100 rioting police in 1986; the Algerian police indiscriminatingly machine-gunning hundreds of its own citizens in a few days of rioting; the Libyans assassinating untold numbers of their opponents inside the country and outside; hundreds of Iranian pilgrims ruthlessly being gunned down by the Saudis during the pilgrimage to Mecca; the hundreds of thousands being killed in the Sudan in inter-racial massacres, Lebanon's rape by Syria, and so much more. The United Nations did not concern itself with any of these.

Among the hypocritical accusers of Israel in the U.N. Security Council are the French and the Soviets, merchants of death who have supplied Iraq with the weaponry, the materials and the technology to produce chemical, biological, and nuclear weapons. Without them, the present situation would not have arisen. These same cynics bitterly denounced Israel for destroying the Iraqi nuclear capability in 1981. Had Israel not done that, Iran would now in all likelihood be an atomic wasteland and no U.S. or U.N. presence in the area would now be possible. And such stalwart democrats and practitioners of human rights as Yemen, Cuba, Zaire, and Malaysia also sit on the Security Council and cynically condemn Israel, the only people in the entire Middle East that have a freely elected government and that contributed to the Western legacy the very concepts of justice and of human rights. Is the U.N. a proper forum to sit in judgment about Israel and about the events in the middle East? The evidence is clear and the answer is obvious.

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# LETTERS

Who will define this "national policy"? And more important, who will enforce it? How will system operators be "encouraged" to provide "unrestricted...services"?

The failure of the EFF to maintain its integrity does not invalidate its original efforts. But by the same token, Mitch Kapor's heroism in defending hackers does not excuse this apparent plunge into whimsy.

*Michael E. Marotta*
*Lansing, MI*

## ID Check

There were two small inaccuracies in the otherwise instructive article by Steven Carlson on the difficult problem of taking books and other printed material to Romania ("Black Books," Feb.). First, the name of the founder and director of the Hungarian Press of Transylvania is not Janos Arakovacs but Attila Ara-Kovacs; and, second, the parliamentarian elected as a member of the Alliance of Free Democrats is not M.G. Tamas but Gaspar Miklos-Tamas, or G.M. Tamas.

*Juliana Geran Pilon*
*Washington, DC*

## *Rush* Accusation

Jacob Sullum's review of Kim Wozencraft's novel *Rush* ("Lines of Duty," Jan.) left me hoping that Mr. Sullum will someday look a little more deeply into the procedures used by law enforcement in general and narcotics investigators in particular. He seems far too willing to assume that a work of fiction is an accurate portrayal of the profession.

Ms. Wozencraft's story is, indeed, interesting reading. It may in fact closely parallel her own experiences as a cop, but, since she has written fiction, we will never know how closely. Perhaps what she has described did happen, in a "small Texas city." Maybe she really was driven by an egomaniacal chief and a partner with an addiction. Maybe two inept cops, unable to make a case any other way, really did resort to using drugs and perjury to please their chief. But then again, maybe Kristen and Jim were just a couple of liars and cheats who happened to get jobs with a police department.

I have been a cop in Los Angeles County for more than 20 years. During that time I have spent over five years as a narcotics investigator. I have bought drugs of all sorts in quantities that would dazzle Kristen, Jim, and maybe even Ms. Wozencraft. I have consorted with dealers and users, partied with them, laughed with them, gained their confidence, convinced them I was one of them. Never, not even once, did I find it necessary to do other than simulate the use of drugs. Neither have I, in two decades with a major law enforcement agency, known or heard of another cop who had to use drugs to make a case.

I am happy to hear that Ms. Wozencraft has cleaned up her drug dependency problem and has become wealthy as a result of it. I am sorry, though, that Mr. Sullum is so willing to believe that this is the way the job is done and, on the basis of one work of fiction by a reformed junkie, indict an entire profession.

*Lt. Steven L. Switzer*
*L.A. County Sheriff's Department*
*Los Angeles, CA*

**Mr. Sullum replies:** Regardless of how many narcotics officers use drugs, the fact remains that by purchasing drugs, they violate the prohibitions they are supposed to be enforcing. This double standard is inherent in any effort to suppress victimless crimes. So is the routine betrayal that Lt. Switzer seems proud of, but which I find far more troubling than an occasional snort of coke.

## In Defense of the ACLU

Although I admit bias (I've been a director of the ACLU Foundation of Southern California since 1979), I continue to believe that those who don't appreciate the ACLU simply don't understand the vast, vital, and consistent role the or-

ganization has played in safeguarding our personal liberties since its inception in 1920. Charles Oliver's article ("The First Shall Be Last?," Oct.) reinforces that belief.

The article glosses over much of the important work the ACLU continues to do, including involvement in more than 500 Supreme Court cases. It's interesting to note that the ACLU has assisted several prominent people who probably consider the organization unnecessary at best. For example, the ACLU filed a friend-of-the-court brief on behalf of Oliver North, whose defense was based on so-called legal technicalities. The ACLU has also made public statements on behalf of Edwin Meese III.

A weakness the article highlights—that the ACLU is not a homogenized group—is, in my view, one of its strengths. Samuel Walker's *In Defense of American Liberties: A History of the ACLU* points out that the organization has overcome periods of internal strife that, on several occasions, came close to tearing it apart. The constant debating and bickering while reacting to our fluid world is a great strength.

Mr. Oliver does bring out some issues that concern me and others, such as the definition of free speech. But the ACLU never was absolutist on free speech. It's well accepted that there are and should be limits to free speech; hence the illegality of slandering someone or yelling "Fire!" in a crowded movie theater.

Any organization as big and as complicated as the ACLU has issues at both ends of its decision continuum over which good people disagree. It's a shame that a writer as obviously talented as Mr. Oliver would suggest that those ends are the essence.

*Steve Markoff*
*Santa Monica, CA*

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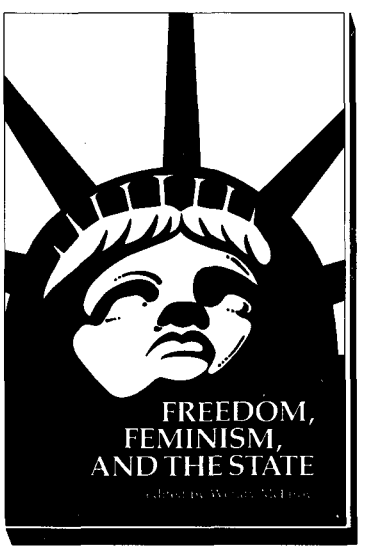


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ACKERMAN
ACKERS
ACTON
ADAIR
ADAM(S)
ADKINS
AGAR
AGER
AGNEW
AIKEN(S)
AINSWORTH
AITKEN
AKERS
ALBERT(S)
ALBRECHT
ALBRIGHT
ALDEN
ALDERMAN
ALDERSON
ALDRICH
ALDRIDGE
ALEXANDER
ALFORD
ALGER
ALLAN
ALLEN
ALLISON
ALLMAN
ALSOP
ALSTON
ALVORD
AMANN
AMBLER
AMBROSE
AMES
AMMANN
AMOS
ANDERSON
ANDREW(S)
ANGEL(L)
ANTHONY
ANTRIM
APPLEBY
APPLEGATE
APPLETON
ARCHER
ARCH(I)BALD
ARM(I)STEAD
ARMITAGE
ARMSTRONG
ARNDT
ARNETT
ARNOLD
ARNOTT
ARROWSMITH
ARTHUR
ASBURY
ASHBY
ASH(E)
ASHLEY
ASHTON
ASTON
ATCHISON
ATHERTON
ATKINS
ATKINSON
ATWATER
ATWELL
ATWOOD
AUBR(E)Y
AUSTIN
AVERELL
AVERILL
AVERY
AXTELL
AYER(S)
AYRES
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BABCOCK
BACH(E)
BACHMAN(N)
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BADGER
BADGLEY
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BAGGETT
BAGGOTT
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CRES(S)WELL
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CUMMIN(G)S
CUNNINGHAM
CURL(E)(S)
CURRIE
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CURTIS
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CUSHMAN
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DAIL(E)Y
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DANFORTH
DANIEL(S)
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DAUGHERTY
DAVENPORT
DAV(E)Y
DAVID(S)
DAVI(D)SON
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DEARBORN
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DEWOLF(E)
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DRINKWATER
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DUBOIS
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## The Price of Pollution

The Clean Air Act of 1990 provides a novel way to reduce air pollution with economic incentives: tradable emissions permits. In their simplest form, each firm in an air basin can emit a certain amount of pollution; before it exceeds that limit, the company must buy permits from firms that emit less than their permitted amount. However, the prices set for the permits could make the Environmental Protection Agency a powerful new taxing authority.

The EPA will set emissions standards for individual air basins. State environmental authorities will then enforce the standards. If a particular basin consistently fails to meet its goals, then the state agency can charge violating companies a per-ton emissions fee. The fees are designed both to reduce pollution and to pay for implementing the emissions plan. State agencies keep any fees they collect.

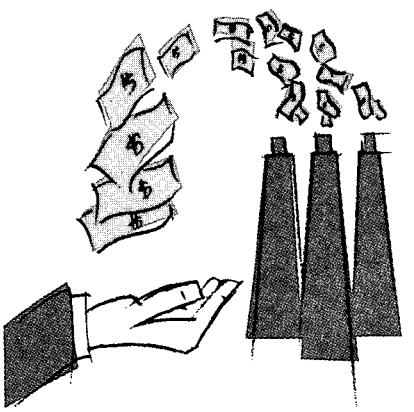
But if states don't develop plans to implement the standards, the EPA can draw up its own plans and collect the fees. And whatever the EPA collects, it keeps.

The fees—which start at $25 per ton of pollutant—won't necessarily vary from basin to basin: In a truly market-based system, the marginal cost of pollution in Los Angeles would be greater than that in Seattle. The flat rate leads J. Andrew Hoerner of the Tax Foundation in Washington, D.C., to conclude that "the fee appears to be primarily a revenue-producing device."

Since only Congress has the constitutional authority to levy taxes, legal challenges to any fee structure will probably follow. At least one other federal agency—the Federal Deposit Insurance Corp.—assesses charges that aren't explicitly user fees. But FDIC premiums aren't intended to turn a profit for the agency.

Legal challenges may focus on the pricing mechanism the EPA uses. If the agency can demonstrate that its fees reflect the marginal costs of pollution or the costs of implementing the program, the fees may stand. But the courts could reject fees that are seen as arbitrary or as an easy source of revenue for the agency.

*—Rick Henderson*



## Losing Proposition

Is the world running out of resources? Most environmentalists think so; economist Julian Simon strongly disagrees.

In October 1980, Simon bet ecologists Paul Ehrlich, John P. Holdren, and John Harte that in 10 years the price of any raw material they selected would have fallen (measured in constant 1980 dollars). Last October, Ehrlich and his colleagues sent Simon a $1,000 check, since the prices of the five minerals they had chosen (copper, chrome, nickel, tin, and tungsten) had dropped substantially.

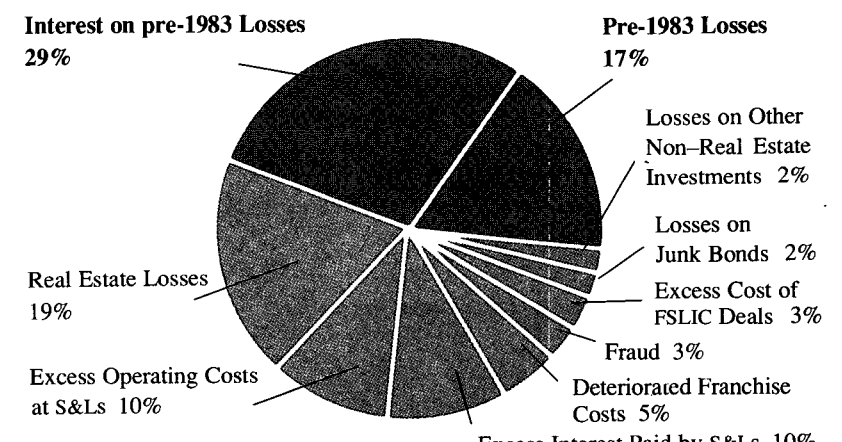
Simon would like to renew his bet, upping the ante to $20,000. So far, no one has accepted the offer.

*—Martin Morse Wooster*

## Lost Causes

Who's to blame for the S&L crisis? To hear politicians tell it, the villains are crooked managers, bad junk bond investments, and financial deregulation. But these charges aren't consistent with the facts. About 46 percent of the losses were incurred before deregulation. Maybe the politicians should look at the regulations that set up and protected inept thrifts.

**S&L Losses: Where the Money Went**


Interest on pre-1983 Losses 29%
Pre-1983 Losses 17%
Losses on Other Non–Real Estate Investments 2%
Losses on Junk Bonds 2%
Excess Cost of FSLIC Deals 3%
Fraud 3%
Deteriorated Franchise Costs 5%
Excess Interest Paid by S&Ls 10%
Excess Operating Costs at S&Ls 10%
Real Estate Losses 19%

*Source: Ely & Co.*

# What Makes a Consultant Successful?

America has been called "The Land of Consultants." Over 400,000 are engaged in that profession. Yet only 11% of the consultants in this country earn more than $50,000 per year, according to IRS figures. And unfortunately, most consultants struggle just to get by.

By contrast, the really successful earn well over $100,000 per year. And earnings of $250,000 per year and even more are not uncommon. Four skills set apart the super successful:

**1. Identifying** your clients' key needs.
**2. Solving** problems your clients can't solve themselves.
**3. Profiting** from your efforts.
And the skill every consultant needs most:
**4. Marketing** your services effectively.

You undoubtedly have the expertise in your field. But *unless you are able to effectively market yourself, you will never achieve the income you deserve.*

Whether new or established, you can be a highly paid, successful consultant in your own field by knowing how to do these four things. And if you don't master these skills, the increasing competition in your field will kill you.

Properly done, consulting can be the ideal profession. The highly successful can earn well into six figures, even on a part-time basis.

A new book, the *Complete Guide to Consulting Success* will show you how. You'll discover the best way to approach the four critical consulting principles of success. It need not be difficult. Once you master these skills with the help of this book, it's remarkably easy.

The author, Howard Shenson, is America's most recognized authority on consulting. Through his seminars and books, he has helped over 52,000 consultants improve their practice. He has been featured in more than 400 newspaper and magazine articles and on more than 225 radio and TV news and talk shows.

The *Complete Guide to Consulting Success* is a remarkable book. You simply must have it if you are a consultant . . . or plan to become one. Not only is it filled with useful information, you also get ready-to-use forms, agreements and worksheets. Worksheet forms will help you determine your best strategies, and the contract and agreement forms will help protect you legally.

This book brings you the basic strategies you need to gain larger contracts from both existing and new clients. And it provides ways to increase profits on the work you get.

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- Find the ten profit-producing situations that create a need for your service.
- Identify six danger signals telling you when not to take a client.
- Gain more work by applying your skills to a broader market.
- Increase your billings while you serve specific client needs.
- Go after 39 new markets for consulting services.
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- Gain profitable consulting contracts with the government.

### *Selling Your Service*

- Market your services using the nine most effective no cost/low cost methods.
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- Compete with larger consulting firms and win.
- Use an effective brochure that will have clients calling you for your services.

### *Getting the Contract*

- Create sales through successful presentations that keep you in control.
- Prepare reliable cost estimates with one easy-to-use form.
- Write sharp proposals that will get you the job.
- Set the most profitable fees for your service.
- Learn why you should never "lowball" (low-estimate) an assignment– even if you really need the work.
- Decide what type of contract you should use with each client.

You get seven types of ready-to-use contracts and a description on how to use each. There is even a chapter for complete beginners on how to start your business. Plus a complete 25-page, annotated bibliography that serves as an in-depth reference source for you.

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**—Los Angeles Times**

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## BALANCE SHEET

### *Assets*

**Patriot Gain.** The military buildup of the 1980s—including some of its "waste, fraud, and abuse"—pays off as Patriot missiles intercept Iraqi Scuds. With hardliners resurgent in Moscow, defensive weapons that actually work look like a good buy. Why can't we get some of that missile defense here in the States?

**Basic Story.** "60 Minutes" correspondent Steve Croft destroys the conventional wisdom about acid rain. Relying heavily on the government's $500-million NAPAP study—which portrays acid rain as basically harmless—Croft concludes that "America is suffering from environmental hypochondria." Enviros downplay NAPAP's findings: A Natural Resources Defense Council lobbyist tells Croft that the NRDC doesn't care whether acid rain is a threat; it just wants tough environmental legislation. If only CBS had listened to scientists about Alar...

**Express Train.** Morrison Knudsen Corp. bids $5.7 billion to build and operate the nation's first high-speed "bullet train" in Texas. The 590-mile railway will connect Houston, Dallas, Austin, and San Antonio with trains traveling nearly 200 miles per hour. The state legislature refuses to finance the project. So Morrison Knudsen will seek its own (mostly private) funding.

**Honesty Pays.** The U.S. Court of Appeals for the Third Circuit holds that life-insurance policyholders who lie about smoking can lose their coverage. New York Life doesn't have to pay a $50,000 insurance claim from the estate of a Pennsylvania man who died of AIDS—but claimed he didn't smoke when he signed up for the policy. New York Life's attorney says a smoker can still get insurance, but "you just have to tell the truth in the application."

### *Liabilities*

**Dumb Questions.** Reporters' inane queries hurt the early coverage of Operation Desert Storm. "General, when will the ground war start?" "Where will you attack?" "What units will you use?" No wonder people hold the press in such low regard.

**Smilin' Mike.** As tanks roll through the Baltics, Mikhail Gorbachev performs last rites for *glasnost* and *perestroika*. He asks the Supreme Soviet to suspend press freedoms—it temporarily refuses—and outlaws 50- and 100-ruble notes, destroying most private savings. So 300,000 Muscovites take to the streets, calling for Gorbachev's resignation. These are the times that try Soviet souls.

**Desert Slick.** Forget chemical warfare against the Kurds. Forget the Scud attacks on Tel Aviv. Forget the assassination of his air defense commanders. Saddam Hussein knows how to get the U.S. media steamed: Spill a lot of oil in the Persian Gulf. Environmental terrorism!, they cry. This brutal slimeball may actually *kill some birds!* Will the man stop at nothing?

**Disability Check.** The federal government publishes enforcement guidelines for the Americans with Disabilities Act. All new or renovated grocery and retail store aisles (including checkouts) must be wheelchair-accessible; theaters and concert halls must provide listening devices for the hearing-impaired; two-thirds of restaurants' seating area must be handicapped-accessible. How much will this cost? A hint: There goes the economic recovery.

*—Rick Henderson*

## Sex Rules

Three times last year, state courts overturned laws forbidding sodomy. Judges in Kentucky, Michigan, and Texas struck down state laws prohibiting oral and anal sex between consenting adults.

In the 1986 *Bowers v. Hardwick* case, the U.S. Supreme Court ruled that the U.S. Constitution does not protect sexual liaisons between homosexuals. But the Court also stated that its decision applied only to the U.S. Constitution and that there could be grounds under state constitutions to challenge sodomy laws.

Attorneys for gay rights groups and persons convicted under sodomy laws were slow to take up this challenge. But after adopting a state-level strategy, they have met with great success. Paula Ettelbrick, legal director of the Lambda Legal Defense and Education Fund, a gay rights group, told the *New York Times*, "We're three for three since the Supreme Court went against us in 1986, and we're going to keep going."

In their decisions, the courts have ruled that state constitutions protect a greater sphere of privacy than the federal constitution. In Michigan, for example, Judge John A. Murphy noted that the state constitution grants a broad right of privacy within the home, and this right, he claimed, "does not vary depending upon the activities engaged in."

All of the state decisions have come from district courts and could conceivably be overturned by higher courts, but the states have not appealed any of the decisions to date.

Encouraged by their successes last year, gay rights groups plan an even more comprehensive set of challenges this year. Ettelbrick notes that there are plans to eventually challenge sodomy laws in almost every state. "Everywhere except Missouri, that is. We don't really know why, but Missouri is probably hopeless for the foreseeable future because judges there have been particularly unsympathetic to gays and lesbians."

*—Charles Oliver*

## Fraud Too Broad

When Secret Service agents searched the home of Baltimore computer consultant Leonard Rose on May 8, he told them he did not have the purloined electronic document they were looking for. He cooperated fully, volunteering information about his work.

In trying to convince the agents of his innocence, however, he revealed that he was in possession of two programs that the Secret Service considers tools of computer crime. He thus stepped into the wide net of the Computer Fraud and Abuse Act.

The 1986 statute is part of an anti-computer-crime campaign that is inhibiting communication through computer networks and hindering the development of a vibrant electronic press. (See "Closing the Net," January.) The law is expected to be tested by Rose's case, which is scheduled for trial in federal court in April.

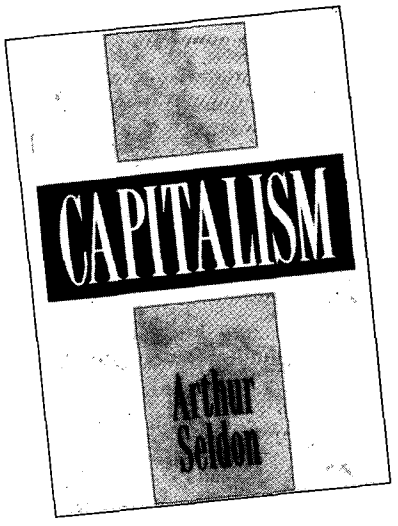
Aimed at fighting electronic trespassing, tampering, and theft, the Computer Fraud and Abuse Act prohibits communication of "information through which a computer may be accessed without authorization." The Electronic Frontier Foundation, which has filed a friend-of-the-court brief on Rose's behalf, argues that the law is unconstitutionally vague and overbroad, violating First Amendment rights of free speech and association.

If convicted under the statute, Rose could face up to two years in jail and tens of thousands of dollars in fines. The government claims he ran afoul of the act by using two programs, login.c and su.c, that are related to the AT&T-designed operating system, Unix. EFF attorney Mike Godwin says login.c has legitimate computer-security functions and that su.c simply could not have been used in the way the government alleges.

Furthermore, Godwin notes that the Computer Fraud and Abuse Act could be applied to a wide range of beneficial activities that violate no one's rights. For example, the law could be read to prohibit speeches, articles, or discussions about computer security, even among professionals whose business it is to prevent unauthorized access. Godwin suggests that the statute might be interpreted to bar journalists from reporting on weaknesses in the security of government computer systems.

"This statute hangs over citizens 'like a sword of Damocles,' threatening them with prosecution for any speech or writing relating to computer security," the EFF brief says. As a result, the law is likely to have a "direct and substantial chilling effect on research, education, and discussions concerning computer technology."

*—Jacob Sullum*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# BRICKBATS

Following a lawsuit by Jeremy Rifkin's Foundation on Economic Trends, the EPA has allocated funds to measure how much methane gas flatulent cows pump into the atmosphere. The foundation contends that methane emitted by livestock contributes to global warming. You can bet that the children of the people who measure cow gas aren't going to bring their parents to school on career day.

"It's a morbid observation, but if everyone on earth just stopped breathing for an hour, the greenhouse effect would no longer be a problem," says *Newsweek* Senior Writer Jerry Adler. What do you want to bet that that's next on the EPA agenda?

The National Coalition on Television Violence has asked George Bush to remove Arnold Schwarzenegger as chairman of the President's Council on Physical Fitness. The group charges that Schwarzenegger is an inappropriate role model because his films promote violence. Arnold responded,"They're just a bunch of girly men who are jealous of my pumpitude."

After years of research, the DEA claims to have come up with a scientifically valid profile of the typical drug carrier. The DEA is loath to reveal the traits that will lead them to search someone, but *Mother Jones* scoured court documents and found that the following forms of behavior have triggered actual searches: carrying new suitcases, carrying old suitcases; appearing nervous, appearing calm; buying a round-trip ticket, buying a one-way ticket; traveling alone, traveling with a companion; deplaning from the front of the airplane, deplaning from the middle of the plane, and deplaning from the rear of the plane. If I were carrying drugs, I'd try to be a little less obvious.

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"...now, the latest on the ruthless Iraqi occupation of Kuwait..."
THE BRITISH

And the U.S. Customs Service is training Boy Scouts to help airport inspectors frisk suspect travelers. Whatever happened to helping little old ladies across the street?

Mike Webel owns a business in Chicago that employs 26 people. Twenty-one of his employees are Latino; five are black. So he didn't worry when the Equal Employment Opportunity Commission asked to see his records. He should have. The EEOC told him that based upon their formulas, he should be employing 8.45 blacks. The agency has ordered him to "spend $10,000 on newspaper ads to find black people who didn't work for me so I can pay them $123,000 for not working for me."

In San Francisco, Latino firemen have demanded that the Civil Service Commission declare Frank Cercos—who finished third on a recent test for battalion chief—ineligible for affirmative action benefits. Cercos is of Spanish descent but not Mexican-American. The firefighters want the definition of Hispanic changed to include only those of Mexican or other Latin American ancestry. This may be a little radical for San Franciscans, but has anyone heard of promoting solely on the basis of merit?

The BBC has advised its stations to avoid playing certain records because of the fighting in the Persian Gulf. On the list of 67 songs are John Lennon's "Give Peace a Chance" and "Imagine," "War" by Edwin Starr, "Saturday Night's Alright for Fighting" by Elton John, "I'm on Fire" by Bruce Springsteen, and ABBA's "Under Attack" and "Waterloo." Unfortunately, everything else by ABBA can still be played.

Finally, George McGovern has announced he is thinking about running for president in 1992. First the Grateful Dead have a comeback, then America gets involved in a war in a country that most of us didn't know existed last June. Now McGovern. I'm waiting for Rod Serling to step out from behind a curtain.

**—Charles Oliver**

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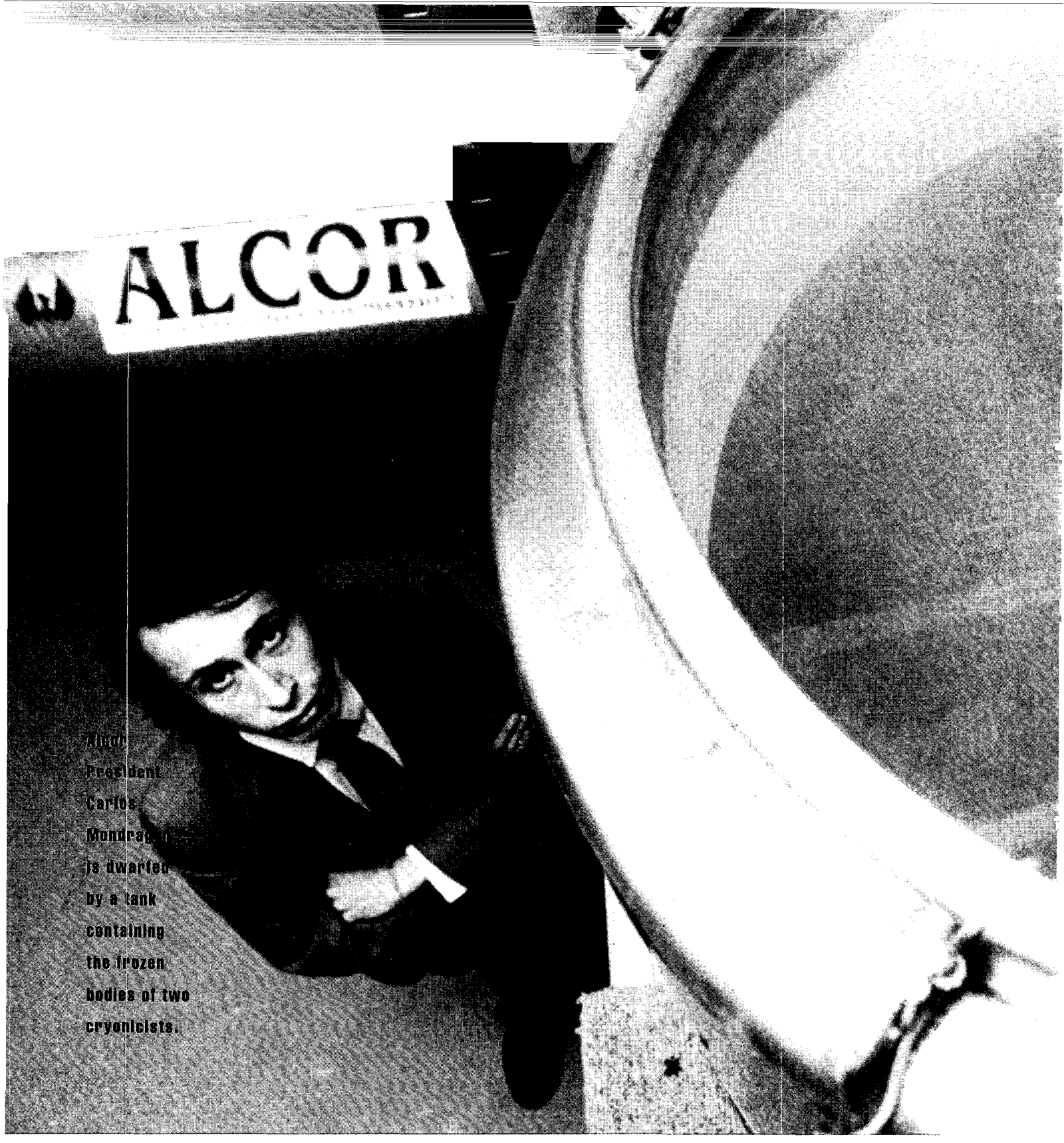
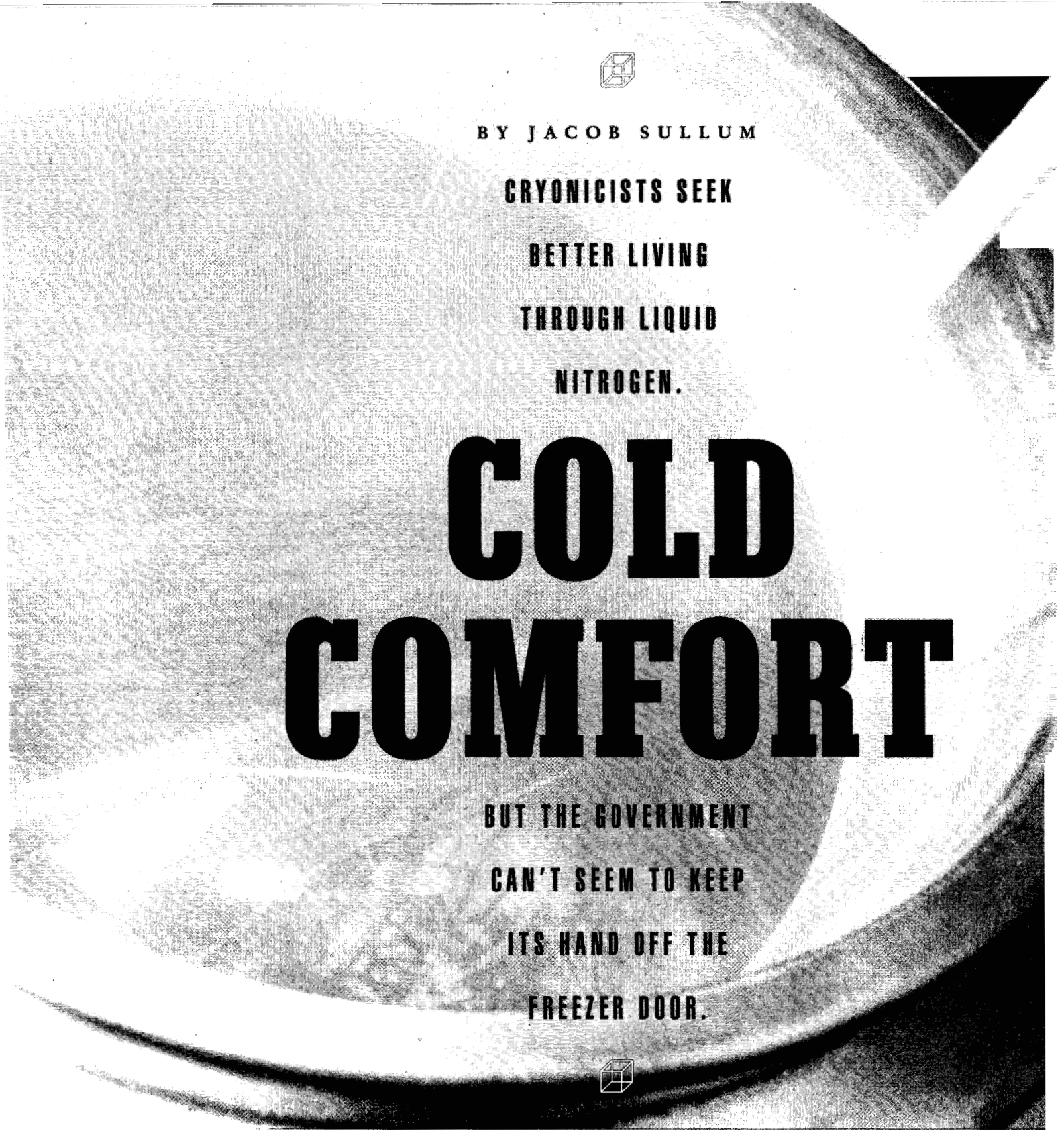



Alcor President Carlos Mondragon is dwarfed by a tank containing the frozen bodies of two cryonicists.

ADRIENNE HELTZER

**LISTENING TO THOMAS DONALDSON, I'M STRUCK BY** his intelligence, thoughtfulness, and determination. But I'm also thinking, *This is the guy whose picture appeared in the* Star *under the headline* OFF WITH MY HEAD!

That's a direct, if simplified, version of what Donaldson, a Sunnyvale, California, mathematician and computer scientist, wants the Alcor Life Extension Foundation to do to him before a tumor destroys his brain. The headline does not tell the whole story, of course. Donaldson does not just want Alcor's staff to cut off—or, as Alcor officials put it, "surgically isolate"—his head. He also wants them to pump an antifreeze solution into it, wrap it in plastic, chill it to the temperature of liquid



BY JACOB SULLUM

CRYONICISTS SEEK BETTER LIVING THROUGH LIQUID NITROGEN.

# COLD COMFORT

BUT THE GOVERNMENT CAN'T SEEM TO KEEP ITS HAND OFF THE FREEZER DOOR.

nitrogen, and store it in a metal canister inside an earthquake-proof tank.

The head will remain there until medical science is sufficiently advanced to thaw it and repair the damage done to Donaldson's brain by cancer and freezing. The same technology that will make it possible to revive Donaldson will also provide him with a new body. That's the plan, anyway.

There are a few possible hitches, some of which we'll get to later. The most immediate obstacle is this: In California, as in every other state, what Alcor proposes—causing a person to "move from 'live' to 'dead,' " in the careful phraseology of Donaldson's attorneys—is against the law. Says Deputy Attorney General Kirstofer Jorstad,

quoting a famous though fictional detective: "That's murder one, baby." Not only do Alcor members have to worry about prosecution, Donaldson has to worry about the prospect of an autopsy as part of a homicide or suicide investigation. However one views his chances of revival, it's certain that defrosting and cutting up his head would only hurt them.

So last April Donaldson filed a complaint seeking an injunction to prevent local and state authorities from interfering with his cryonic suspension, from trying to perform an autopsy on his remains afterward, or from bringing charges against members of Alcor. In September, Superior Court Judge Ronald C. Stevens refused Donaldson's request. He said allowing premortem cryonic suspension would require taking "a giant step" from existing case law. An appeal is pending.

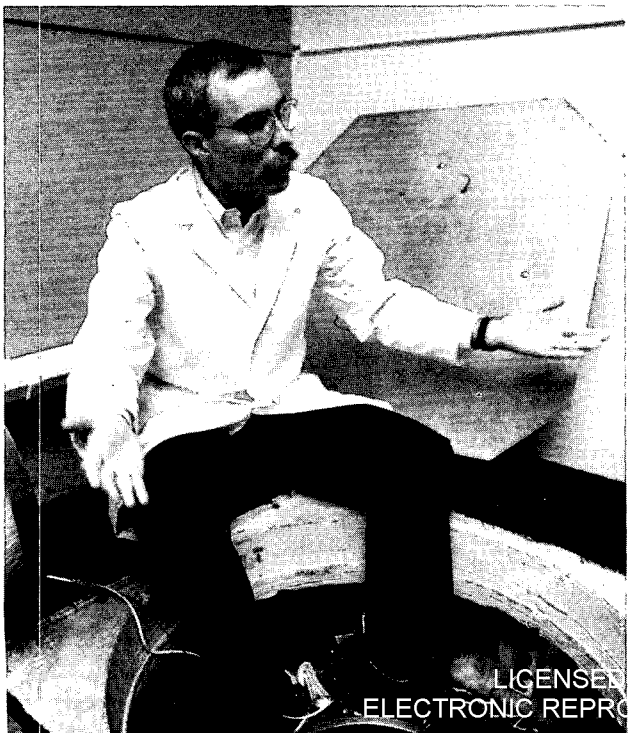
The Donaldson case is the latest episode in a history of government harassment and obstruction. With only about 500 members nationwide and a not entirely deserved reputation for nuttiness, the cryonics movement is an easy target. The three main cryonics groups are Alcor, the largest, based in Riverside, California; the American Cryonics Society/Trans Time, in Oakland, California; and the Oak Park, Michigan, Cryonics Institute, founded by movement pioneer Robert Ettinger.

Ettinger, a former physics teacher, is the author of *The Prospect of Immortality*, "the book that HAS ALREADY begun the greatest revolution in human history" (according to the jacket). He is not bashful about his accomplishments. "Every single individual now active in the movement can trace his involvement, directly or indirectly, to my influence," he writes. That's because *The Prospect of Immortality* proclaimed way back in 1964 that "most of us now breathing have a good chance of physical life after death—a sober, scientific probability of revival and rejuvenation of our frozen bodies."

Cryonicists freeze the seemingly dead—sometimes whole bodies, sometimes just heads—in an attempt to preserve them until a time, perhaps centuries from now, when they can be restored and revived. It's easy to dismiss such people as fools, ghouls, crackpots, or charlatans. And it's hard to rouse popular indignation when the state disrupts what most people consider a bizarre, hubristic attempt to achieve immortality.

**THOMAS DONALDSON, Ph.D. Wants to Have Head Cut Off and Frozen**

But the struggles of the cryonics movement are not about the merits of cold storage. They're about the right to accept or reject medical treatment, including methods as unorthodox as cryonic suspension; to dispose of your remains, whether in a grave, in an urn, or in a vat of liquid nitrogen; and to hasten your death, or, as the cryonicists would have it, try to postpone it indefinitely. Thomas Donaldson and his fellow enthusiasts do not insist that others join them or applaud them—only that they leave them alone.



**Alcor research director Mike Darwin perches atop a tank containing the heads of Alcor members.**

ADRIENNE HELTZER AP/WIDE WORLD PHOTOS

LICENSED
ELECTRONIC REPRO

## STILL, AS JOHNNY CARSON MIGHT SAY, THIS IS WILD AND WEIRD STUFF.

It's hard to sympathize with people you don't understand, especially when they're doing unusual things with severed human heads. To understand cryonicists, you have to get to know them. Hence I find myself, in early December, walking down the winding driveway to Saul Kent's house in Riverside, site of Alcor's annual Turkey Roast, bearing a box of Yum Yum doughnuts.

The door is answered by Kent himself, a tall, heavyset man with a pale complexion and sunken eyes surrounded by dark circles. I half expect to hear him say, "Good eeevening," although it's early afternoon. But no, the longtime and briefly notorious cryonicist just smiles, welcomes me, and directs me to the kitchen, where I deposit my contribution to the potluck dinner.

On the way to the bathroom, I pass through the master bedroom, where two guys are huddled around a computer, talking, I think, in PASCAL. In the bathroom, there's a freezer/refrigerator. Its incongruity makes me uneasy. Still, I'm pretty sure that it's not filled with human body parts. Almost certain, in fact. I check anyway. Just food. After this, I relax.

On the TV in the den they're playing tapes of talk-show appearances by Alcor members. The screen shows a man in his mid-40s with horn-rimmed glasses and a fringe of dark hair that has been further thinned by radiation treatments. "Donahue" identifies him with the tasteful caption, "THOMAS DONALDSON, Ph.D./Wants to Have Head Cut Off and Frozen." Donaldson's speech is generally calm and uninflected, even when he's discussing the brain tumor that has begun to impair his coordination and memory in subtle ways.

I sit down to watch. Most of the 50 or

so people at the party are wearing Alcor I.D. bracelets, indicating that they've signed up for suspension. Some have naked wrists; they're still checking cryonics out. The group is overwhelmingly male, with ages ranging from about 25 to about 65; most appear to be in their 30s and 40s.

The atmosphere is earnestly intellectual. There seem to be a lot of computer specialists, space enthusiasts, science fiction fans, and libertarians of various stripes. One woman is selling parodies of those little Jesus-in-a-fish emblems you see on the backs of cars. These fish have feet, and the name inside is "Darwin." She says they went over big at the Objectivist meeting last week. The Turkey Roast is sort of a cross between a "Star Trek" convention and an Ayn Rand discussion group.

**CRYONICS MAY JUST BE THE ULTIMATE REVENGE OF THE NERDS. SAY** what you might about the Alcorians, it's obvious that they have thought this thing through. The group's literature presents the arguments for cryonics clearly and methodically, anticipating objections and carefully distinguishing fact from speculation and plausibility from possibility. Alcor's *Cryonics* magazine explores the topics that cryonicists never tire of discussing: cryobiological research, cloning, genetic manipulation, cures for aging, microbiology, nanotechnology, memory formation and storage, artificial intelligence, the definition of death, the nature of identity and consciousness.

Heavy. But the idea, in a nutshell (albeit a large nutshell), is this: The definition of death has always been arbitrary, varying with circumstance and medical technology. A heart-attack or drowning victim who would have been abandoned 100 years ago can now be resuscitated. It seems reasonable to assume that, 100 years (or so) from now, conditions currently deemed fatal will be completely curable. The trick is maintaining victims of cancer, AIDS, heart disease, or old age until then.

The Alcor gathering is sort of a cross between a "Star Trek" convention and an Ayn Rand discussion group. Cryonics may just be the ultimate Revenge of the Nerds.

By "maintaining," cryonicists mean preserving the structures of the brain that record your memory and personality. Only when these are lost are you truly, permanently, irrevocably dead. Otherwise, you are merely dormant, awaiting a technology sufficiently advanced to bring you back.

When Ettinger wrote *The Prospect of Immortality*, he was a little vague on just what this technology might be. He talked about installing artificial body parts, transplanting organs grown from cell cultures, and using "fabulous machines" to repair subtler damage. But his point was that *it doesn't matter*. We don't have to anticipate what marvelous advances the future might bring. We just have to be there when they happen.

Since then, however, cryonicists have pretty much decided that nanotechnology will be the way to go. That is, itsy-bitsy, teeny-weeny machines, guided by powerful (but really small) computers, will repair individual cells of the body, curing disease, reversing aging, and fixing any damage done by freezing and defrosting. Don't scoff. This is all in a respectable book called *Engines of Creation*, by K. Eric Drexler, an MIT graduate and a professor of computer science at Stanford University. Published in 1986, it was widely reviewed and became a big hit among futurists and technophiles.

Since nanomachines can manipulate individual atoms, they can build (or fix) virtually anything, given raw material and the right instructions. For example, they could rebuild a new body around your brain, reading out the required information from your genetic code. So preserving your whole body may be unnecessary. Like Donaldson, most Alcor members have opted instead for "neurosuspension," the economy plan. (At Alcor, the minimum fee is $120,000 for a whole-body suspension, $41,000 for a neurosuspension.)

Drexler argues that nanomachines capable of cellular repair will be developed, with the aid of artificial intelligence programs, during the next century. Thus he does for Ettinger's "freezer program" what the idea of genetic mutations did for Darwin's theory of evolution: He suggests how it might really work.

*Might*, cryonicists stress, not *will*. Cryonics is a matter of probabilities. There are so many variables involved, however, that many cryonicists won't even hazard a guess on the chances of success. Then again, some do. In the May 1989 issue of *Cryonics*, Alcor member Steven B. Harris estimates that the odds of revival are somewhere between 1 in 7 and 1 in 400.

As Harris notes, coming back from the freezer depends on a number of factors, of which the *least* uncertain is probably the development of those itsy-bitsy, teeny-weeny machines. Other things to worry about: We don't know exactly how the brain stores information (although long-term memory does seem to involve physical changes that persist even when the juice stops flowing). So we don't know which structures are essential to identity.

Even if we did, we wouldn't know whether freezing and defrosting a brain leaves those structures intact enough so that nanomachines could infer the brain's original state. We don't know how long Alcor, Trans Time, and the Cryonics Institute are going to be around to keep their clients frozen. We don't know that nanotechnology will be cheap enough for the cost to be covered by the money they've set aside. Either way, we don't know that future physicians will be curious or beneficent enough to bother reviving people.

In short, there's *a lot* we don't know. The cryonicists are candid about this. In exchange for your fee, "we'll put forth our best-faith effort to keep you suspended as long as we can," says Mike Darwin, a former medical technician who is Alcor's

research director. "Beyond that, we give no guarantees." About 25 percent of the fee covers the cost of the suspension procedure. The rest goes into a Patient Care Fund that generates interest to pay for maintenance, which consists mainly of replenishing liquid nitrogen. To improve their chances, most Alcor members leave extra money.

Darwin says this arrangement, which resembles "perpetual care" at a cemetery, is a big improvement on the way early cryonics groups operated. In the years following the publication of Ettinger's book, organizations intent on implementing his vision opened and folded like seats in a crowded theater at intermission. As Darwin describes it, families would come to the groups with recently deceased or nearly dead relatives and agree to pay for their shot at another life. Then, as grief faded and car payments, dental bills, and college tuitions loomed, the customers would decide they had better things to do with their money, and they'd let Granny defrost.

Nowadays, Alcor insists on informed, rational consent. It rarely accepts suspendees on the verge of death, and it gets the money up front, usually from members' life-insurance policies. "I hope and pray we have addressed the key things that have caused other organizations to fail," Darwin says. "But it's still a long shot. It's new, and there are a lot of uncertainties."

**LARGELY BECAUSE IT'S NEW, THE CRYONICS MOVE**ment has had trouble with the government. Alcor, with about 200 suspension members, has attracted the most attention. Members of the other two major cryonics groups acknowledge this with a mixture of relief and resentment. Asked if Trans Time has had legal problems, its president, Art Quaife, laughs. "No," he says. "We've kept our nose clean. We stay out of trouble....They're paying a lot of attention to Alcor....As long as they basically ignore us, we're happy to be ignored."

There's considerable tension among the three organizations, stemming partly from differences in financial arrangements and suspension procedures. Only Alcor does neurosuspensions, for example. Ettinger's Cryonics Institute charges only $28,000 for a whole-body suspension, largely because it doesn't use sterile procedures. He reasons that when medical science can revive frozen bodies, dealing with a little infection will be a snap.

Ettinger says the Cryonics Institute, unlike Alcor, does not plan to attempt premortem suspensions—which improve the odds for victims of Alzheimer's disease or other brain disorders as well as cancer patients like Donaldson—even though Michigan has no law against assisting suicide. "It's a thicket we don't want to get into," he says. "We don't really want to pay out large amounts of money in litigation, even in successful litigation." Darwin estimates Alcor has spent about $1 million on legal fees in its various court battles—money raised from membership dues and contributions.

The litigation has largely been an effort to establish the legitimacy of cryonics. Regulators and law enforcement officials are not sure how to handle a group like Alcor. Is it a bunch of harmless weirdos who deserve toleration? Or is it a threat to law and order, a challenge to authority that must be stamped out?

In the Dora Kent case, Riverside County Coroner Ray Carillo tried both approaches, settling on the second. In the process, he transformed a paperwork oversight into a symbol of the cryonics movement's resistance against bureaucratic interference. The episode is a source of both alarm and inspiration for those who support Donaldson's fight.

Like her son Saul, Dora Kent was an early cryonics enthusiast. So after she became seriously ill, suffering from osteoporosis and atherosclerosis as well as organic brain disease, Saul placed her in a nursing home near Alcor. On December 9, 1987, Kent received a call from the nursing home telling him his mother was near death from pneumonia. Rather than prolong her suffering with aggressive treatment, he had her transferred to Alcor the next day.

On January 7, 1988, Riverside County coroner's deputies raided Alcor with a search warrant. The main item on their list: Dora Kent's head.

Although his 83-year-old mother had suffered brain damage, Kent was not sure how extensive it was. In any case, he says, "my position is that if someone wants this, it should be done regardless, especially if there's any brain tissue at all left." He acknowledges, however, that "bringing my mother back would be an extreme challenge for future generations."

Shortly after midnight on December 11, Dora Kent stopped breathing; her heart stopped beating a few minutes later. Since she was clinically dead, the Alcor staff proceeded with her neurosuspension, which involves administering protective drugs; opening the chest and attaching a heart-lung machine; running the blood through a heat exchanger to cool it; packing the body in water ice; replacing the blood with a tissue-preservative solution; removing the head—or, as cryonicists see it, removing the body; and gradually cooling the head to minus 196 degrees Celsius, the temperature of liquid nitrogen.

**IN THEIR RUSH TO PRESERVE DORA KENT'S BRAIN, HOWEVER, THE ALCOR** personnel neglected to have her physician standing by to certify death. Instead, he signed the death certificate the next day. Because of this irregularity, the case was referred to the coroner's office, which performed an autopsy on the body. On December 23, Darwin and Saul Kent met with two deputy coroners, who assured them that the case was closed.

"One of the coroners signs the death certificate, saying she

ELLEDA WILSON

died of pneumonia," Kent says. "Everything is fine. The next day is Christmas Eve, and I'm home. At noon, there's a knock at the door, and it's a camera crew from NBC: 'Could you comment on the fact that your mother may have been murdered?' Out of nowhere."

The autopsy had found metabolites of barbiturates in Dora Kent's blood, possible evidence of foul play. But Alcor had already told the coroner's office that the drugs were administered after clinical death to help preserve brain tissue, part of the standard suspension procedure. Kent suspects that Carillo, who was at first cooperative and understanding, got nervous. "We had done something which was inviting suspicion," he says. "I think there was a fear that...their superiors would get upset and say, 'How can you just let people get away with this?' "

So Carillo called a press conference to announce a homicide investigation. At the conference, a deputy coroner suggested that Dora Kent might still have been alive when her head was cut off. This did not quite jibe with the theory that Alcor had killed her by injecting an overdose of barbiturates. Nor did it make sense in light of another assertion by the coroner's office—that she was indeed *clinically* dead when her suspension began, but not *brain* dead. Nevertheless, the news media went wild. True or not, this was a great story.

So on January 7, 1988, the TV cameras were ready when coroner's deputies raided Alcor with a search warrant. The main item on their list: Dora Kent's head. It was nowhere to be found. "They threatened everybody in sight," Kent says. "They threatened to thaw out the bodies. They threatened everything they could imagine to try to get someone to talk, and no one did." So they handcuffed six Alcor members and hauled them away, only to release them later that day. They also seized Alcor's patient records.

**Alcor personnel prepare a member for freezing—and a shot at immortality.**

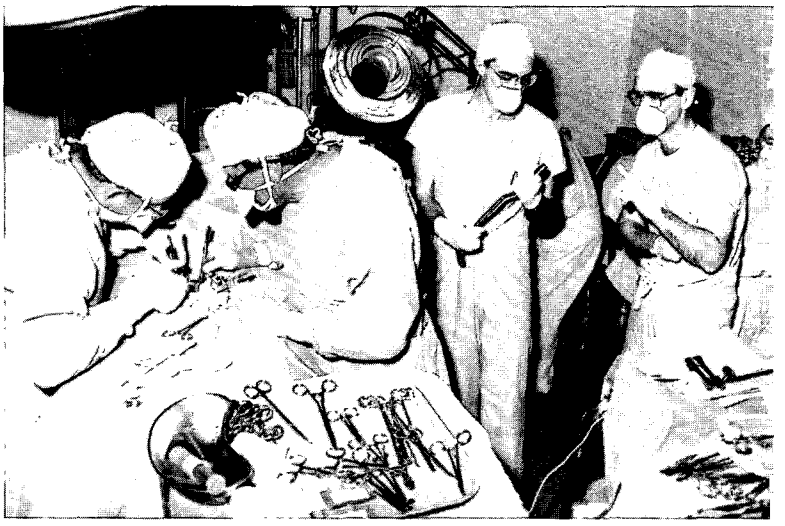
On January 12, the coroner's deputies were back, this time accompanied by UCLA police and a SWAT team. They occupied Alcor for two days, stripping it of supplies and equipment valued at tens of thousands of dollars. Alcor had purchased much of the equipment from the UCLA Surplus and Excess Property Department, and it still bore university tags. No one asked for documentation of ownership. The coroner's office also seized prescription drugs, eight computers (with their manuals), all data-storage media (including software), and every computer printer, including the two used to produce *Cryonics*.

On February 1, Superior Court Judge Victor L. Miceli issued a temporary restraining order, later made permanent, enjoining Carillo from attempting to autopsy Dora Kent's head. Among other things, he found there was "no evidence that Dora Kent was alive when she was decapitated." Virtually all of the seized property was eventually returned. The six Alcor members who were taken into custody during the first raid have sued Riverside County for false arrest; an out-of-court settlement is expected.

(Carillo, by the way, is no longer Riverside County's coroner. Before the Dora Kent case, he had gained notoriety by ostentatiously publicizing the cause of Liberace's death—AIDS. After the unsuccessful Alcor raids, his office put a swift end to a homicide investigation by mistakenly allowing the body to be cremated. Later it was revealed that two of his assistants, a husband-and-wife team, had been performing autopsies on their backyard picnic table and keeping body parts in their garage. Carillo lost his re-election bid. The obvious lesson: Don't mess with Liberace fans.)

Even after the coroner's office had been thoroughly embarrassed, the Dora Kent investigation continued. In September 1989 the California Board of Medical Quality Assurance informed Alcor that the Riverside County district attorney's office intended to prosecute the organization, not for murder, but for *practicing medicine without a license*. Alcor sued unsuccessfully for an injunction to prevent this, but the charges were never filed. Last November, Assistant District Attorney Don Inskeep told the *Los Angeles Times* that his office had dropped the case.

I know what you're thinking, but you're too polite to ask.



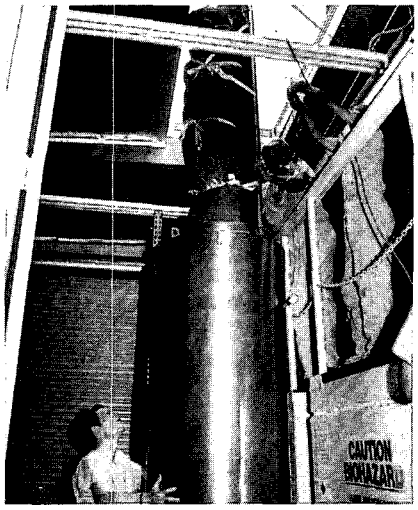
While the coroner's deputies were poking around at Alcor, where was the head? "Until the death certificate is changed, I'm not going to comment on that," Kent says.

**TODAY, DORA KENT'S HEAD RESIDES IN A CRAMPED BUILDING IN A** Riverside industrial park, along with seven other heads and six bodies. If you happen to be in L.A., and Universal Studios is too crowded, you can see these and other attractions on the Alcor tour, which is free and available by appointment. The Alcor facility also includes an operating room with a lot of secondhand medical equipment and a row of supply cabinets against one wall. Just outside the operating room is a big chest that contains the silicone-oil bath used to cool suspendees to the temperature of dry ice. The same room serves as a laboratory for research aimed at improving suspension techniques. Ultimately, Alcor would like to achieve true suspended animation, which does no additional damage to the body or brain.

The tanks—or dewars, as Alcor calls them (as in Dewar

ELLEDA WILSON

**Alcor personnel hoist a sleeping-bag-clad member into a tank of liquid nitrogen.**




flask, a kind of thermos used to store liquified gases)—are in a small room off the laboratory. Darwin says the dewar lying on its side contains the body of James H. Bedford, the first person to be cryonically suspended. Bedford has been sealed in there since 1967, and he's had an even more eventful journey (probably) than has Dora Kent's head. He was frozen by the now-defunct Cryonics Society of California, and he was moved from place to place, including at least one garage, before finding a home at Alcor. They're not sure what kind of shape he's in.

Darwin opens another dewar, this one upright, and invites visitors to climb up a ladder onto a platform and peer in. Beneath the fog of nitrogen vapor are two bodies wrapped in blue plastic sleeping bags (presumably rated for low temperatures), floating with heads downward. Dora Kent's head is in a tank that resembles a hot tub covered by concrete. It holds nine metal canisters containing heads and tissue samples. Thomas Donaldson has reserved similar accommodations.

"I believe there are only eight patients in there, because we have some pets in there as well," Darwin says.

I've heard about this, but I wasn't sure whether to believe it. I ask the obvious question. "The whole pet?"

"No. We do have a whole dog in that unit over there and another whole dog in that unit there. My childhood dog is in here."

"Just the head?"

"Just the head. Thomas Donaldson's cat, Daisy, is in there, too. So...some have pets." (It costs about $7,500 to suspend a pet.)

"Couldn't you buy another pet in the future?" I suggest—tactfully, I hope.

Darwin, who until now has been mild-mannered and friendly, gets a bit testy. "I love my dog. That was my childhood dog. That dog spent a lot of time with me. I thought the world of her. I thought more of her than I do of a lot of people." After a pause, he is cordial again. "Look at it this way: If I make it into suspension, at least that's one person I'm going to know—someone who'll be glad to see me."

The 12-year-old daughter of Alcor's accountant, who has come along for the tour, won't let the matter drop. She has viewed the frozen bodies and heads with equanimity, but this upsets her. "That's gross," she says. How, she asks, did these pet owners know their dogs and cats *wanted* to be suspended?

"You should keep in mind that those people who die and have pets, their pets end up getting put to sleep," Darwin notes.

"That's sick," she says.

The city zoning authorities have different concerns about the Alcor facility. "We are technically here illegally, because the city of Riverside requires a conditional use permit," Darwin says. "When we came here, we told them what we were doing. We said we were freezing people. And they said, 'What's that like?' We said, 'Well, it's biomedical research.' You don't need a CUP for biomedical research, but you do need one for storing body parts...like a mortuary. And that's what they've decided we're most like. But we haven't been able to get a CUP because the state of California has been telling everyone that we're illegal."

Without the permit, Alcor cannot expand; the current facility is designed to serve only about 80 people. The zoning controversy may be resolved, however, as a result of a court decision last fall. Superior Court Judge Arelio Muñoz ruled that people have a right to dispose of their remains however they wish. He found that California's Uniform Anatomical Gift Act applies to cryonics, which therefore constitutes "scientific use," a recognized way to dispose of bodies. He instructed the state Department of Health Services to register death certificates and issue body-disposition permits for Alcor members, which it had been refusing to do since May 1987. The state has appealed the ruling.

"The people running the health department really believe, as do many government officials, that if something isn't [explicitly] permitted by law, it's illegal," Kent says. "They feel that unless people like them are overseeing an activity, it shouldn't be permitted."

**IN LIGHT OF ALCOR'S REGULATORY PROBLEMS—AND, ESPECIALLY, IN** light of the Dora Kent case—Thomas Donaldson has good reason to fear that his prospect of immortality is in jeopardy. If the government obstructs Alcor's attempts to suspend people *after* clinical death, it's not likely to look kindly on premortem suspension, which is probably Donaldson's only chance of preserving the essential structures of his brain. Indeed, the state has made it clear that it would consider the procedure to be assisted suicide at the very least, and perhaps murder.

At least one judge thinks otherwise. In 1989, when Alcor sought a court order to prevent the district attorney from charging the organization with unauthorized practice of medicine, Superior Court Judge Robert J. Timlin said he could not oblige. But he made a remarkable concession: "This court concludes that the adherents...under Article I, Section 1 of the California Constitution and the Fifth and Ninth Amendments

ELLEDA WILSON

to the United States Constitution, have a right to privacy, which includes the right to exercise control over his/her own body and to determine whether to submit his/her body, or any portion thereof...to *premortem* cryonic suspension."

Donaldson would be surprised to hear such a ruling from California's Second District Court of Appeals, where his case went after he lost in Superior Court last fall. "I'm basically pessimistic about the lawsuit, although I think it's a good thing to pursue," he says. There is some cause for hope. California's constitution explicitly protects a right to privacy, and the Second District Court of Appeals has applied that right to euthanasia cases. In 1983 the court ruled that physicians who follow family instructions to remove feeding tubes from comatose patients cannot be prosecuted for murder. In two later cases, the court upheld the right of seriously ill (but not necessarily terminal) patients to have feeding tubes disconnected.

Donaldson's attorneys, David Epstein and Christopher Ashworth, also cite the cases of Karen Quinlan and Nancy Cruzan, in which the U.S. Supreme Court held that, where the patient's wishes are clear, families may disconnect life support from comatose relatives. They note that the highest courts of 10 states have upheld the right of terminally ill patients to hasten their deaths.

Epstein argues that there is no principled distinction between "passive" suicide by starvation or dehydration and the "active" suicide that Donaldson seeks. He quotes Justice Antonin Scalia's concurring opinion in *Cruzan v. Missouri*: "It would not make much sense to say that one may not kill oneself by walking into the sea, but may sit on the beach until submerged by the incoming tide; or that one may not intentionally lock oneself into a cold storage locker, but may refrain from coming indoors when the temperature drops below freezing."

Epstein concludes: "The only material distinction between lawful assistance and murder is plaintiff's consent. Absent such consent, neither would be any more or less a crime because it was either 'passive' or 'active.' "

If the court rejects this argument and refuses to allow tangible assistance, Alcor proposes to instruct Donaldson on how to inject himself with a lethal overdose. Epstein maintains that applying California's law against assisting suicide to such speech would be a violation of the First Amendment. He also argues that the law is unconstitutional on its face, both because it is vague and because suicide itself is not a criminal act.

If Donaldson loses his case and further appeals are unsuccessful, he plans to starve himself to death. At least two Alcor members have already gone this route, including a cancer patient who died after 10 days. It's perfectly legal, and terminal patients who die this way are generally not autopsied. "It's not a very nice thing," Donaldson says. "But it looks like what I'd have to do if I lose the case."

Donaldson recognizes that his suit is destined to be known as a right-to-die case, but he doesn't see it that way. "There are two different views of what's going on," he says. "There's the cryonicist view, and there's the public view. The public view decides that this is suicide, so we're suing for the right to commit suicide. The cryonicist view is that we're suing for the right to cryonic suspension, which is the very opposite of suicide."

Although he supports a broad right to die, Donaldson does not approve of euthanasia—given the alternative of suspension—and he distances himself from organizations such as the Hemlock Society. "My aim is my suspension," he says. "If other people with, I believe, quite fallacious ideas try to use my case for some other purpose, that is not my affair."

Donaldson recognizes that his lawsuit is seen as a right-to-die case, but he insists that cryonic suspension is the very opposite of suicide.

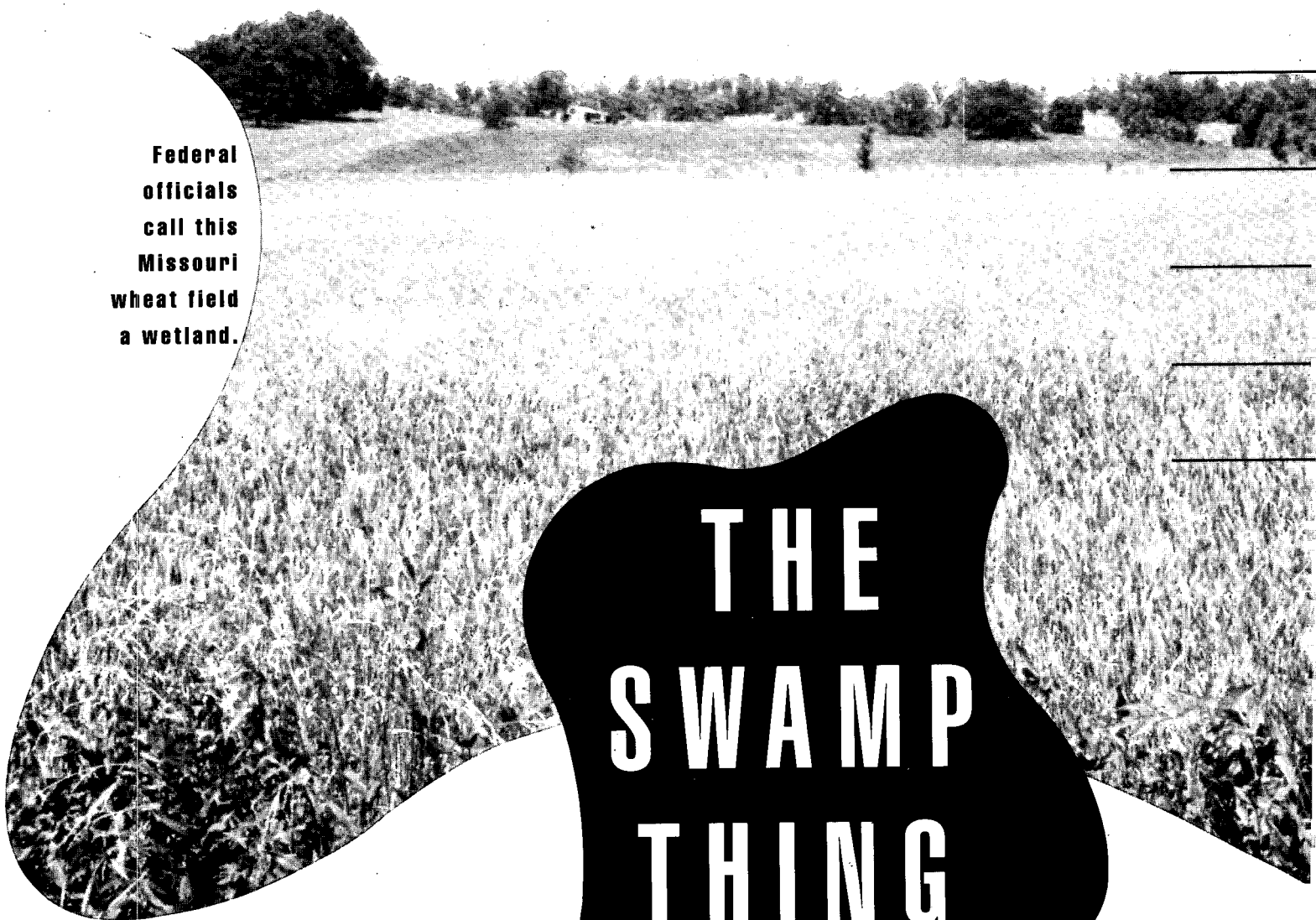
**DONALDSON AND OTHER MEMBERS OF THE MOVE**ment are puzzled and frustrated by people who will not or cannot adjust their world views to take account of the opportunities offered by cryonics. As Ettinger puts it with characteristic fervor in the foreword to *The Prospect of Immortality*: "A great many people have to be *coaxed* into admitting that life is better than death, healthy is better than sick, smart is better than stupid, and immortality might be worth the trouble!"

Those who are taking the trouble see life from a different perspective than most of us. "People have asked me how I felt when I was told that I had this tumor that had a high probability of killing me," Donaldson says. "I had already confronted my own death, [so] the first thing I thought was, Well, I guess it's come sooner for me than I expected. The second thing I thought was that arranging for my suspension was the best decision I'd ever made in my life."

Like other cryonicists, Donaldson combines a sometimes unsettling intensity with a surprising sense of humor. During his appearance on "Donahue" last July, he stressed that Alcor's frozen clients are *patients*, not corpses. "The reason they're patients is because we don't think they're dead. And we're right, OK? And all those people who think that they are dead, they're wrong, OK?"

Later in the show, however, Donaldson found a subtler way to express his differences with conventional wisdom. He was pressing a bioethicist to look at cryonic suspension as a risky sort of medical treatment. When the doctor danced around the question, Donaldson interrupted him. "I would like to continue," the bioethicist snapped. "I, too," Donaldson said. "I, too."

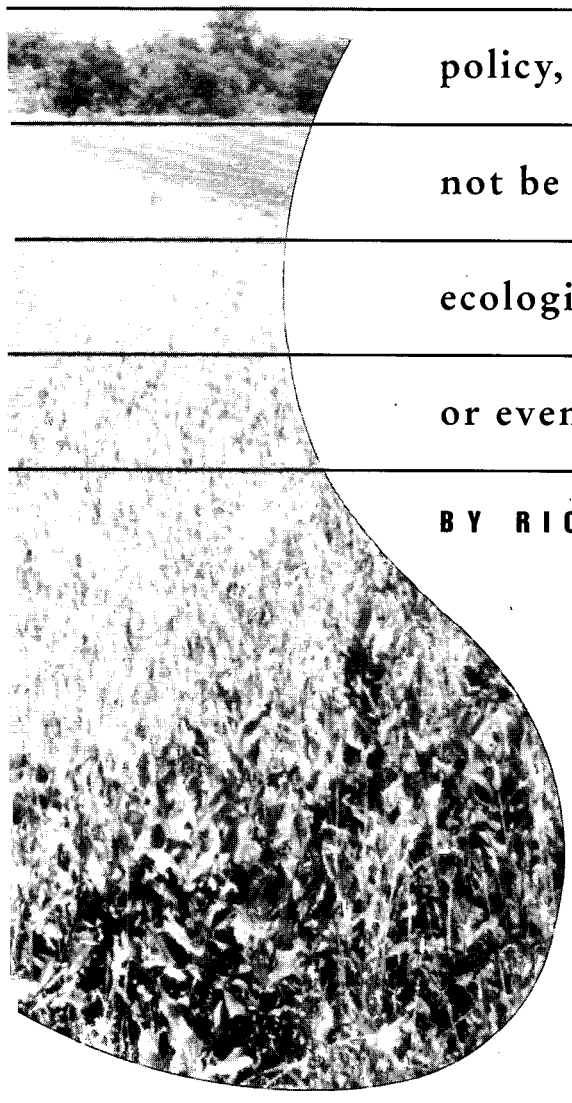
*Jacob Sullum is assistant editor of* REASON.



**Federal officials call this Missouri wheat field a wetland.**

# THE SWAMP THING

TO UNZ.OR



# Under new federal policy, wetlands need not be picturesque, ecologically valuable, or even wet.

BY RICK HENDERSON

*LAST DECEMBER, the CBS "Sunday Morning" program visited a beautiful marshland in the Louisiana bayou. To protect the marsh from commercial development, the state government had just made it a public wildlife preserve. As cameras panned the hardwoods and swamp grasses, host Charles Kuralt gravely intoned, "Who would want to pave this land?...Now it's a gift to ourselves."*

*To lovers of the outdoors, wetlands evoke powerful emotions and seemingly simple policy decisions: preserving nesting grounds for the whooping crane instead of building a shopping mall; protecting a habitat for shellfish rather than letting Jack Nicklaus construct a golf course. But the struggle to preserve wetlands doesn't always involve such straightforward choices. And not all of the areas threatened by development are as easy to designate as our Louisiana marshes.*

# *Wetlands* were once defined by the functions land performs: Now officials focus on technical factors. A landowner has to prove his property isn't a wetland. And the parameters are extremely elastic.

Environmental officials have begun to apply a broad and vague new definition to wetlands that adds to the nation's wetlands inventory property that would hardly qualify as swamps, marshes, or bogs: most of the eastern United States and perhaps as much as 40 percent of drought-stricken California. If strictly followed, the new definition will make millions of acres of private property unusable and require huge tax-dollar payouts to compensate property owners.

Consider the following examples, all deemed "wetlands" under the new policy:

- A North Dakota corn field where pools of water collect for a week each year during normal spring run-off.
- A muddy patch between railroad tracks in the center of the main street in an Idaho town.
- Irrigation ditches dug by farmers in Nevada, California, and other western states—some of which have been in use since the turn of the century.

Once federal or state officials designate property as a wetland, if the owner wants to do anything with it he must first apply for a permit from the Army Corps of Engineers. Corps regulators decide whether they will issue the permit, and, if so, whether the owner will have to set aside other property to make up for ("mitigate") the lost wetland. The corps gained this authority from Section 404 of the 1972 Clean Water Act, which allows it to regulate "the discharge of dredged or fill material" into "the navigable waters of the United States."

People who fill wetlands without obtaining a permit face fines and prison sentences. Perhaps the most famous case involves Hungarian immigrant John Poszgai. A mechanic in Morrisville, Pennsylvania, Poszgai purchased a piece of property to build a garage. After removing tires and automobile parts that had been dumped on the land three decades earlier and hauling in soil to level the property before construction, he was convicted of 41 violations of the Clean Water Act, sentenced to three years in prison, and fined $200,000 for illegally filling a wetland. Neither federal nor state regulators had listed his property as a wetland before he started to clear it. As a July '90 *Audubon* article stated, "Dumping dirty old tires into a creekbed does not seem to violate the Clean Water Act so conveniently as dumping new fill into an old wetland."

Many other wetlands cases involve farmers and ranchers. In Missouri, when corn farmer Rick McGown repaired a sunken levee on his property, he was accused of illegally filling a wetland after an Army Corps official found a "cattail" growing on the land. McGown claims the plant is a strand of sorghum he planted. If the corps wins its suit, the farmer will have to give the government one-third of his farm and pay a $7,500 fine.

After a normal spring thaw, the Idaho transportation department wanted to get rid of the mud-and-gravel mixture that collects on the sides of snowplowed dirt roads. Farmer Bud Koster allowed the department to dump this muck onto a plot of pasture. The corps later ruled that Koster had illegally filled a wetland and told him to either convert other property to a wetland, remove the dirt, or pay a fine. The case is still pending.

In Nevada, a rancher who repaired irrigation ditches dug 75 years ago has been accused of "redirecting streams." Farmers in North Dakota have been charged with illegally destroying habitats for migrating birds when they drained potholes in their fields. In California and Maryland, regulators halted construction of low- and moderate-income housing projects after charging that the construction sites were functioning wetlands. A recent Army Corps ruling suggests that when owners pull tree stumps from their land, if any chunks of dirt fall from the stumps, that may constitute filling a wetland. As we'll see, expansive government wetlands policy not only violates the rights of property owners but defies common sense.

**IN 1977, THE CARTER ADMINISTRATION SOUGHT TO** reduce wetland destruction; it began by asking federal agencies to define uniformly what they planned to protect. The Department of the Interior, the Department of Agriculture, and the Environmental Protection Agency jointly defined *wetlands* as areas flooded or saturated with ground water often enough that, under normal circumstances, they would support "vegetation typically adapted for life in saturated soil conditions." The definition emphasized that wetlands were limited "to only aquatic areas"—in other words, swamps, marshes, or bogs.

But by the mid-1980s, the government definition started to expand. The Corps of Engineers developed a new set of guidelines to help distinguish between plants that grow in wet soils and dry soils. The guidelines, which set up five classifications of plants, were intended as a measuring device, not a basis for policy. But corps officials noted that this checklist could provide ambitious regulators with an expansive new definition of wetlands.

That's what happened. The guidelines evolved into the *Federal Manual for Identifying and Delineating Jurisdictional Wetlands*. Wetlands, which were previously delineated by the functions land performed, are now defined by technical factors: the wetness of the soil (its hydrology), its chemical properties (whether the soil is "hydric"), and the varieties of plants that grow there (hydrophytic vegetation). Theoretically, land is supposed to meet all three criteria before it's declared a wetland, but the burden of proof is on the property owner. And the

parameters are extremely elastic.

Bernard Goode, who headed the Army Corps's 404 regulatory office in Washington, D.C., from 1981 to 1989, helped develop the delineation manual. He says that when the government was developing its uniform definition of wetlands, each agency expanded the definition by drawing the parameters as broadly as possible. For instance, the Soil Conservation Service included hydric soils, which are moist enough to impede crop growth but not necessarily saturated or flooded, as *wetland* soils. The manual also says that soil that is inundated for as little as one week each year (the typical run-off period for farmland in a river basin or valley) qualifies as wetlands.

And the EPA insisted that facultative vegetation—plant life which *by definition* appears in uplands as often as in wetlands—be included as a wetland-defining parameter. Robert Pierce, a former Corps of Engineers regulator who helped write the enforcement guidelines for Section 404, notes that in some regions of the country, Kentucky bluegrass is facultative. In Pennsylvania, regulators consider ash trees and dogwoods to be wetland plants. The most common facultative plant, says Pierce, is the red maple tree, which can grow in standing water or on top of a mountain.

As a result of the new definition, the Soil Conservation Service estimates that as many as 70 million acres of existing farmland (privately owned, of course) could be considered jurisdictional wetlands, subject to federal control. Wildlife advocates and property developers, the *Los Angeles Times* reports, estimate that most of the eastern half of the United States fits the new guidelines. One environmental policy analyst I talked to cited an estimate that defined 40 percent of drought-stricken California as jurisdictional wetlands; San Francisco attorney Mark Pollot, who defends property owners in wetlands cases, contends "That may even be an underestimate."

Pollot notes that the technical definition simultaneously expands the authority of environmental regulators and makes their jobs easier. Before the manual guided regulators, he says, delineating wetlands was neither a simple nor a speedy process.

"Figuring out the hydrology of land is the most difficult thing to do," he says. So regulators took a short cut. Now any land with a preponderance of wetland plants—even facultative plants—can be designated as wetlands "without ever looking at the hydrology," Pollot explains. "You can dig around and find hydric soils even if that land hasn't been wet for ages. The manual will allow you to assume that the land is actually wet."

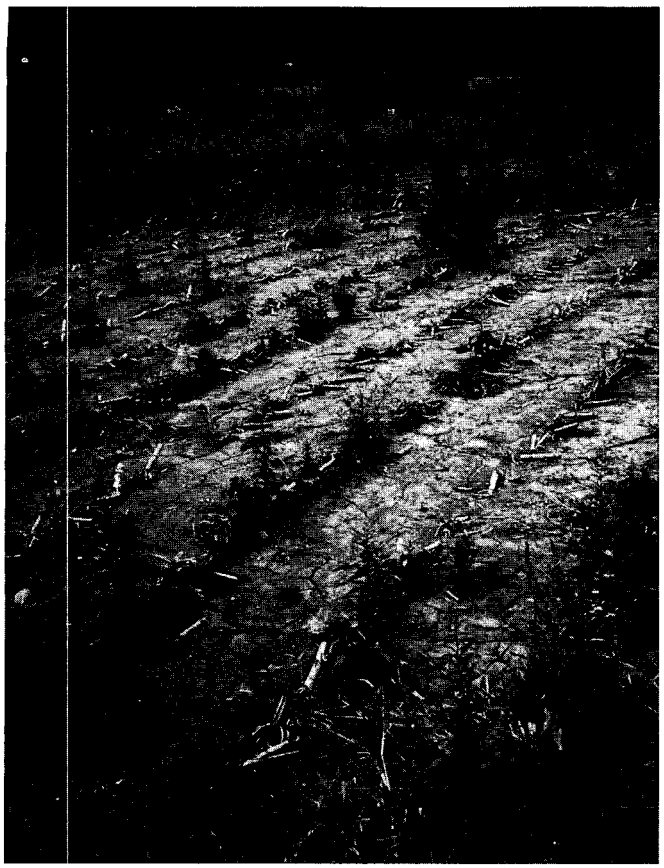
**To widen Johnny Mercer Boulevard near Savannah, Georgia, officials achieved "no net loss" by clearcutting a mature pine-and-palm forest.**

PHOTOS COURTESY OF BERNARD N. GOODE

THE EXPANDED DEFINITION HAS CONTRIBUTED to already-inflated estimates of wetland losses. No one seems to know how many acres of wetlands disappear each year, although guesses abound. The Audubon Society claims we lose between 300,000 and 500,000 acres yearly; the Office of Technology Assessment says 275,000 acres. The American Farm Bureau Federation says those estimates are based on data collected in the 1950s and 1960s (when Army Corps flood-control projects were at their peak) and don't reflect current wetland losses; the Farm Bureau estimates losses of around 100,000 acres annually. When asked for a current figure, John Meagher, the EPA's deputy director of wetlands policy, admits that the most valid data was collected decades ago, but "we probably lose from 300,000 to 400,000 acres a year."

A recent EPA study casts doubt on the higher estimates. A 1989 agency study found that a 1985 law cutting off subsidies from farmers who drain and till wetlands ended almost all wetland conversion in six of the seven states studied. The Farm Bureau also estimates that around half of current annual losses come from the erosion caused by flood-control projects that prevent cities like New Orleans from being washed away every few years.

Inflated loss estimates bolster the Bush administration's



**The federal government's delineation manual defines this New Hampshire corn field, TOP, and this bottom land in Colorado, BOTTOM, as wetlands.**

policy of "no net loss" of the nation's wetland base—a longtime goal of EPA chief William Reilly. In 1986, while head of the Conservation Foundation, Reilly spearheaded the National Wetlands Policy Forum, an advisory group to the EPA composed of elected officials, government regulators, environmentalists, and agricultural interests. In 1988, the forum issued a report urging an initial policy of "no net overall loss" and eventually an increase in the quantity and quality of wetlands.

Candidates George Bush and Michael Dukakis signed onto the forum's agenda. President Bush subsequently endorsed no net loss in his first State of the Union address, and set up a task force to implement the goal. The no-net-loss policy means that whenever a property owner fills a wetland, he must convert an equal amount of property into wetlands. It doesn't matter what functions the original wetland performed: The property owner has to make an acre-for-acre trade.

Although the Bush-appointed task force hasn't yet completed its job, applications of the no-net-loss policy already exist. To preserve 600 acres of marginal wetlands in Staten Island, New York, taxpayers will have to reimburse property owners $400 million for their land and install $1 billion in storm drains.

And when a government project alters wetlands on public property, the wetlands have to be replaced—no matter how the restoration of the wetlands affects the rest of the local ecology. A riverside road-construction project near Savannah, Georgia, filled four acres of tidal marsh. To replace the filled wetland, officials cleared an adjacent mature pine- and palm-tree forest, excavating the forest floor to the mud line. They also clearcut vegetation from an island on the other side of the river. When he called for no net loss, says former regulator Pierce, "George Bush didn't know what he was getting into."

FROM PROVIDING WILDLIFE HABITATS TO CONtrolling floods, wetlands can play important—sometimes crucial—ecological roles. Wetlands advocates, however, say wetlands perform functions that people—or other natural processes—can't replace. Preservationists end up engaging in a form of bait-and-switch: They argue that wetlands provide unique, essential ecological benefits, but we don't know enough about the functions to quantify them and set priorities. With imprecise knowledge, the "safe" answer, ecologically speaking, is to define wetlands so broadly that everything's included.

Says the EPA's Meagher, "It's really hard to [set] priorities from a functional perspective, to say that fish are more important than ducks, more than mammals, more than water quality."

Meagher says that priorities must depend on "the science of landscape ecology," based on functions that are determined at each site. Before considering priorities, regulators must look

PHOTOS COURTESY OF BERNARD N. GOODE

**Wetlands advocates engage in a form of bait-and-switch: They argue that wetlands perform essential functions, but they can't quantify them. So any human activity becomes suspect.**

beyond the immediate area. "You can't make these decisions without considering what else is going on in the ecological system," he says. Officials would like to decide based on whether property serves wetland functions, he says, but "functions are complex," and regulators may not know which ones are most valuable. So *any* human activity that affects wetlands becomes questionable.

But there is no pure "science of landscape ecology," nor a "scientific" definition of wetlands, responds Bernard Goode. He says that "wetlands are and will be whatever combination of soils and water the government decides." The definition will always be determined politically.

As a result, in Pierce's words, "What is being called a wetland is functionally not different from uplands." The new definition fails even to distinguish between natural and man-made wetlands. A rice levee falls under the same jurisdiction as a swamp.

There are alternative policies that can preserve truly functional wetlands, as well as good sense. Goode suggests basing the delineation of wetlands on one parameter: the presence of enough surface water for a sufficient amount of time to support typical wetland plants. To meet this criterion, the water *table*—not merely a random puddle—must be at or above the surface for 30 days during the growing season. He says this degree of saturation will once again limit wetlands to truly aquatic areas—swamps, marshes, and bogs.

Now a private consultant who helps property owners and government regulators identify wetlands, Goode has attempted to sway officials in the regulatory agencies and with the wetlands task force. He says some members of the task force seem sympathetic, but he sees them as "the last hope in the executive branch to bring some reason and fairness" to the problem. Since leaving the corps, Goode says he's become something of a "crusader for landowners."

Attorney Pollot suggests his own alternative to acre-for-acre mitigation. "Is it necessarily true," he asks, "that a 15,000-acre wetland you use for a flood-control project needs to be replaced by another 15,000-acre wetland if a 100-acre or a 500-acre or a 1,000-acre wetland will do the same function?"

If the EPA or the Department of the Interior obtained authorization from Congress to swap publicly held parcels of land for privately owned wetlands of comparable value—instead of taking the property outright—environmental regulators could preserve the valuable functions of wetlands without strapping property owners and other taxpayers. Land swaps would require federal officials to quantitatively assess wetland functions and set priorities. But "wetlands restoration," Pollot concludes, "doesn't have to be expensive."

SO FAR, FEDERAL AGENCIES WON'T ENDORSE these less-complicated proposals. Corps spokesperson Edward Greene says his department defers any priority-setting or other policy changes to the White House task force. The EPA's Meagher says his agency doesn't have enough information to set priorities or set aside comparable plots of land. So it will proceed with the existing policies.

Undoubtedly, restricting wetland regulations would require government policymakers to limit their own regulatory power—bad news for the Army Corps. The corps needs a new bailiwick, now that building dams is out of style, and environmental activism looks like just the thing. In February 1990, Lt. Gen. Henry Hatch, commander of the corps, officially endorsed the no-net-loss policy, declaring that his agency should become "the nation's environmental corps." *Audubon* writer John Madson notes, "for the Corps, [environmental projects] mean job security."

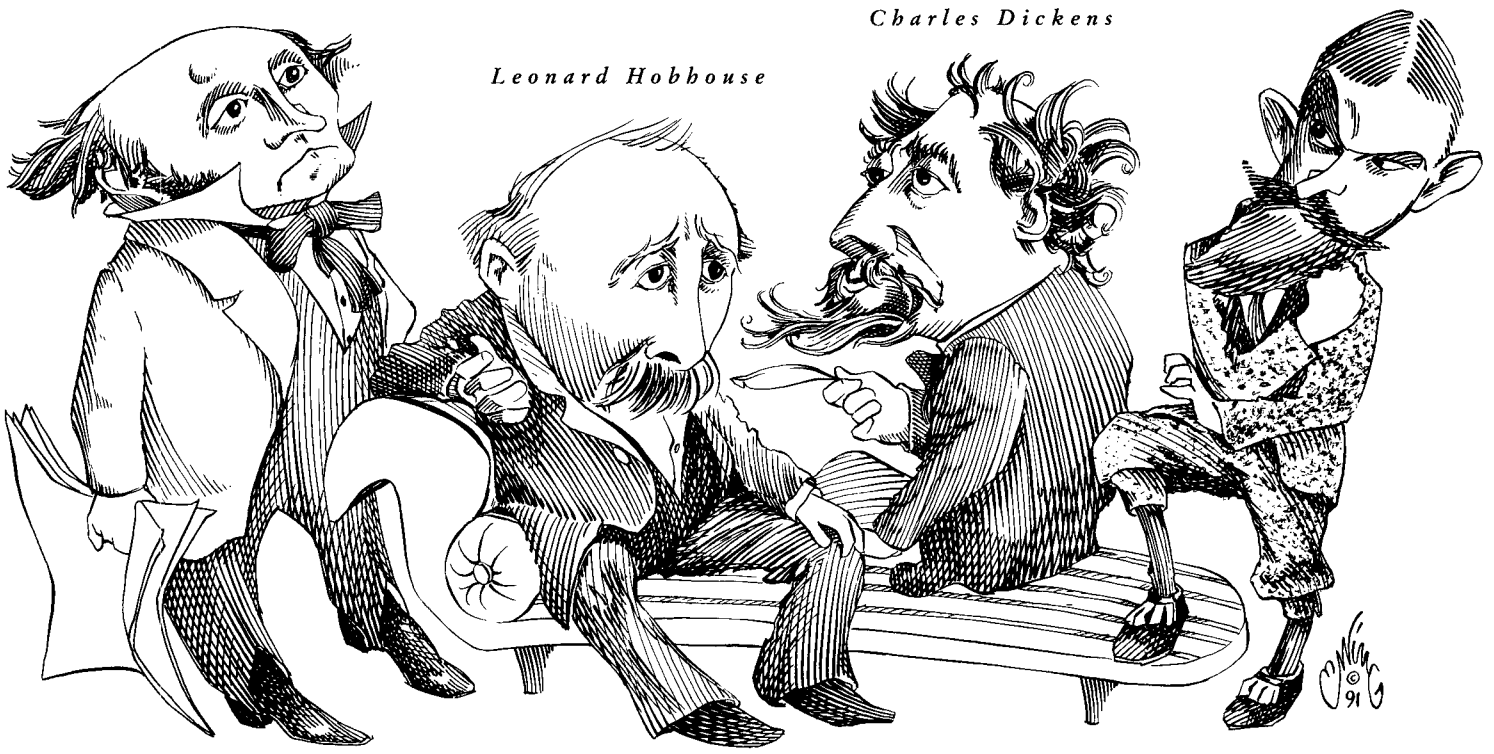
Meanwhile, the Washington rumor mill holds that the EPA's Reilly wants to replace embattled Interior Secretary Manuel Lujan. When the White House task force finally settles on a definition of wetlands, and on which agencies will regulate them, the EPA could lose much of its authority. The Department of the Interior could become the logical home for most wetlands regulation. And at Interior, Reilly would supervise the National Parks Service, the Bureau of Land Management, the Fish and Wildlife Service, and become chief enforcer of the Endangered Species Act—a sizable fiefdom for an ambitious regulator.

Still, Pollot believes that rationality will return to wetlands policy once taxpayers start routinely paying large sums to compensate for taking private property. Declaring property a jurisdictional wetland can eradicate almost all its market value—entitling the property owner to compensation under the Takings Clause of the Fifth Amendment. Since an estimated 80 percent of jurisdictional wetlands are privately owned, he says, payouts "could run into staggering amounts."

Last year, the U.S. Claims Court awarded a real-estate developer $2.6 million and a mine owner $1 million to compensate them after the Corps of Engineers defined their properties as wetlands. In each case, corps actions reduced the market value of the properties by more than 95 percent. In a surface mining reclamation case, another claims court ruling awarded more than $100 million to a plaintiff.

"If you go to Staten Island or Manhattan, and [force people] to shell out a couple of billion bucks to buy up marginal wetlands," Pollot says, "you are much more likely to ask the most fundamental question of all: Is this really worth it?" ■

*Rick Henderson is assistant managing editor of* REASON.




# THE BRAINCHILD OF EARNEST GENTLEMEN

## HOW LIBERALISM WENT LEFT

BY JEFF LIPKIS

**THESE ARE CONFUSING TIMES** for people who are fond of political labels. Most Americans admire Eastern European "liberals." They're the folks championing economic and political reform. Their principles, however, often resemble what passes for conservatism in the United States. Soviet "conservatism," on the other hand, is closet Stalinism.

But if Americans applaud Eastern European "liberalism," they are considerably less enamored of the domestic brand. On the eve of the last presidential election, the conservative-to-liberal ratio stood at between 1.4 and 2.2 to 1, depending on the survey. Michael Dukakis may not have been able to balance the Massachusetts budget, but he knew how to count. The Duke studiously avoided the "L-word" until the closing days of the campaign.

For most Americans, liberalism means that government abdicates responsibilities it's expected to assume—protecting people's lives and property from the likes of Willie Horton—and takes on new, unwarranted responsibilities. These new activities tend to be costly, so the second hallmark of contemporary liberalism is high spending, high taxes, and high deficits.

The word *liberalism* still implies an admirable commitment to civil liberties. But it once meant not only the freedoms conveniently identified in the Bill of Rights but a smaller, less intrusive government. It meant political *and* economic freedom. An understanding of the manner in which Western liberalism changed, and the rationales for this make-over, is essential to understanding the contradictory sentiments the term elicits today.

Even those who know that liberalism isn't what it used to be may not appreciate the insidious modifications introduced by a handful of little-known thinkers around the turn of the century. The revisionists meant well, but so did Frankenstein. The history of liberalism is the story of how superficially plausible, even promising, transplant operations altered a political philosophy beyond recognition and helped create a prodigious and predatory golem.

The story begins—and mostly unfolds—in Britain. Once upon a time there was a small island that became the richest and most powerful nation in history. The sun never set on its empire, the islanders boasted. But its proudest claim was that enlightened men and women all over the world looked to it for

RICHARD EWING

the key to their own well-being. The island nation, in an uncanny way, seemed to combine the two things people valued most—freedom and prosperity.

But 100 years after its heyday, people no longer looked to it for intellectual or moral leadership. People no longer even bought its products, except for a few luxury goods. Dissension set in among the island's shabby inhabitants, once considered the exemplars of civilized behavior. Class and racial antagonisms were never fiercer, strikes never more bitter, crowd violence never uglier. The tone of public dialogue became at once more shrill and more coarse. The sun had set, and in the growing darkness the inhabitants were disfigured by resentment.

Textbooks commonly offer two explanations for this downward slide. The first, the more popular, stresses the inevitability of the decline following the rapid industrial expansion of Germany and the United States. The second explanation is a bit more sophisticated. What happened was a failure of entrepreneurship. The culture was to blame. The British middle classes were too snooty. They sent their sons to Eton and Harrow, where they learned to despise their fathers. And hard work. And business savvy. The middle classes got co-opted by their betters.

There's some truth in both explanations. But something else was happening that fewer historians have troubled themselves with. Government was growing—at first modestly, then by leaps and bounds. Government spending as a percentage of GNP increased from 9 percent in 1870 (the beginning of the end) to 52 percent in 1979 (the beginning of the beginning, for those believing in Thatcherism). The percentage of that spending devoted to social welfare rose from less than 35 percent to more than 80 percent, from 3.2 percent to 41.8 percent of GNP. By 1979, the government employed nearly a quarter of the work force, a 10-fold increase over the percentage administering the sprawling empire a century earlier.

You can't pocket 52 percent of people's income without offering them some plausible rationale. This was the task of the revamped liberalism, which was called "New Liberalism." New Liberal dogmas became political common sense, a status they retained until the 1980s. A philosophy of state expansion replaced one that had set strict limits on the size of government.

**IN 1905, THE JURIST ALBERT VENN DICEY** defined the core belief of traditional liberalism this way: "Every person is in the main and as a general rule the best judge of his own happiness. Hence legislation should aim at the removal of those restrictions on the free action of an individual which are not necessary for securing the like freedom on the part of his neighbors."

There's controversy about the extent to which laissez faire was advocated in 19th-century Britain. Historians enjoy pointing out that regulatory legislation increased throughout this period. (The first Factory Act passed in 1801.) Pure laissez faire, these critics say, closely resembles the traditional conservative doctrine of English country gentlemen, who jealously defended their local prerogatives against the king's encroachments. Some historians have even suggested that the whole idea of a period of laissez-faire dominance is a late 19th-century myth concocted by defensive classical liberals and their foreign admirers.

But these counter-arguments present their own problems. First of all, when people share an assumption, they rarely discuss it. If laissez faire was indeed conventional wisdom by 1840, it needed no impassioned defenses of its premises, and historians are unlikely to stumble across them.

More important, critics of the idea that there was an "age of liberalism" have defined liberalism too narrowly. Adam Smith's "system of natural liberty" prescribes three duties for the sovereign: defense against foreign invaders, the administration of justice, and "the duty of erecting and maintaining certain works and certain public institutions which it can never be for the interest of any individual or small number of individuals to erect and maintain; because the profit would never repay the expense to any individual or small number of individuals, though it may frequently do much more than repay it to a great society."

Smith went on to spell out what he had in mind: Not only should government provide roads, canals, a mint, etc., but it should sponsor military training and education as well. Whatever the merits of his arguments, they were accepted not only by every classical political economist but by all liberal politicians. To reduce liberalism to a caricatured version of laissez faire, and then to show that this was neither espoused nor honored as a principle of legislation, just isn't cricket.

The success of traditional liberalism was symbolized by the 1846 repeal of the Corn Laws, which restricted free trade by imposing a duty on imported grain. The well-orchestrated campaign, led by politicians Richard Cobden and John Bright, eventually enlisted tens of thousands. The cause became something like a religious movement, celebrated by banquets, songs, poems, and a surprising variety of knick-knacks. Cobden's cool logic rather than Bright's fiery rhetoric ultimately persuaded intelligent conservatives. The Tory party ruptured and didn't recover for a quarter of a century.

> You can't pocket 52 percent of people's income without offering them a plausible rationale. This was the task of New Liberalism.

The campaign had an unfortunate legacy, however. In order to enlist the support of Chartists, agricultural laborers, and tenant farmers, Cobden and Bright played up the anti-aristocratic angle. Many segments of society bitterly resented aristocratic privileges, and it's always easier to attack status than to defend contract. The frivolous duke with a 50,000-pound annuity was just too tempting a target. Then, one by one, the aristocratic preserves fell. The universities, the army, the civil service, even Parliament itself were opened up to men—

and eventually women—of talent and ability, irrespective of their background.

But the anti-aristocratic emphasis had created two problems for liberalism. First, it associated wealth with illegitimate power. After vanquishing the aristocrats, reformers turned against the "plutocrats," large-scale capitalists. They used the tenets of liberalism to sanction attacks on wealth itself, no matter how it was earned.

Once old liberalism triumphed, especially after the vote had been extended to nearly all males, a second seductive conclusion presented itself. The state, reformers believed, had been the enemy because it was corrupt. Aristocrats had exploited their connections to hold offices for which they weren't qualified. But now that the bureaucracy was staffed by the best and brightest applicants, and answerable to Parliament, perhaps the government might benefit the nation in ways undreamt of by Adam Smith. Having narrowly confined its goals to overturning aristocratic privileges, liberalism became a victim of its own success.

> If a single shopkeeper wishes to work longer hours than his competitors, Hobhouse argued, the police must shut him down.

IT'S IMPORTANT TO TUNE IN TO THE LOUD BACKground chorus lamenting the social changes liberalism made possible. Even in the first industrial nation, powerful romantic critiques of industrialism flourished on both the political right and left from the middle of the century. The anti-industrial cause enlisted some of the most original Victorian writers and artists—Dante Gabriel Rossetti and William Morris, Charles Dickens and Anthony Trollope, Thomas Carlyle, Matthew Arnold, and John Ruskin. Some of their criticisms were aesthetic: The new cities were filthy, the skies above were smoky, and the new products were "cheap and nasty." Some of the criticisms were moral: Work had become more arduous, the lives of the working classes more stunted and coarse, and the middle classes more greedy and materialistic.

An idealized image of the pre-industrial world emerged: the squire in his manor, the clergyman in his parsonage, the happy villagers in their thatched cottages. Life before capitalism moved to natural rhythms; people responded to the changing seasons; without artificial stimuli, their needs were few and easily met; craftsmen took pride in their work, and peasants relished the harvest rituals. Then the Gradgrinds and philistines remade the world in their own narrow image, and competition replaced harmony.

Responding in part to this sense of dissatisfaction with the new order, several philosophers tried to take the rough edges off liberalism. John Stuart Mill turned classical economics on its head by extolling the hypothetical "stationary state," where new production ceases. What Smith and David Ricardo dreaded, Mill welcomed: "I am not charmed with the ideal of life held out by those who think the normal state of human beings is that of struggling to get on."

If Mill tried to improve on Ricardo when Ricardo was right, he stuck with him when Ricardo was wrong: "Happily there is nothing in the laws of value which remains for this or any other future writer to clear up." What Mill wished to have bronzed and hung over his mantelpiece was Ricardo's cost-of-production theory of value, that a good derives its worth from the labor and capital required to create it, rather than from the interaction of supply and demand. He was fuzzy as to why, exactly, people bother to produce goods, but "the things once there, mankind, individually or collectively, can do with them what they like." Mill thus argued that distribution is independent from production. Property rights could be abrogated without affecting the immutable laws governing the latter.

In addition, the uxorious Mill, yielding to the pleas of his future wife, Harriet Taylor, adopted an agnostic attitude toward socialism in the second and subsequent editions of his *Principles of Political Economy*, the standard text for four decades. This meant suppressing some telling objections in the original version, but Mrs. Taylor's grip on Mill was tenacious.

HISTORIANS USUALLY DESCRIBE LEONARD Hobhouse as Mill's heir in the task of improving and updating liberalism. Hobhouse never tired of quoting certain rousing exclamations from Mill, such as: "Education, habit, and the cultivation of the sentiments will make a common man dig or weave for his country as readily as fight for his country." In other respects, though, he was closer to T.H. Green, who tried to infuse liberalism with German Idealism. In Green's synthesis, freedom became specifically the freedom to realize "an idea of self-perfection." Negative freedom, the freedom from constraint, hadn't helped Green's alcoholic older brother. The government—the agency for securing "the common good"—had to actively promote rational choices.

Hobhouse combined Green's moralistic notion of freedom with reformist socialism, rationalizing three kinds of economic interventions by the state: regulation, taxation, and public works. All were predicated on serving a "higher" individualism. The starting point was Hobhouse's redefinition of liberalism's central premise—that individual liberty must be defended. He first asked why liberty is valued. He answered that it was "necessary to the development of the personality."

Hobhouse claimed liberty is important because the personality only develops by making free choices. Two things restrict choice: impulses and coercion. One cannot choose to act on an impulse if one wishes, he said; to do so is to deny choice. The logical conclusion: Behavior that can be labeled "impulsive" can be restricted without jeopardizing an individual's freedom, because such behavior doesn't develop the personality. (How "impulsive" does someone's desire for a pint

of ale have to be before the police barge into the pub?)

Hobhouse then went to work on the concept of coercion. In book after book, he triumphantly demonstrated that liberty always entails coercion: The powerful must be restrained, or they will oppress the weak. He presented this chestnut as if it were an audaciously original proposition. But he failed to distinguish between aggression and efforts to stop or prevent it.

Hobhouse could not enunciate a version of the non-aggression principle—that one must not *initiate* aggression but may defend against it—because he lacked faith in private property and in contractual agreements. If someone protests that his liberty is being violated by another, how do you know he's right? What distinguishes aggression?

Traditional liberalism holds that concepts of private property and contract, which have evolved over centuries, offer at least a rough-and-ready index. What is legally one's own property cannot be seized or trespassed upon without the owner's consent. One cannot abrogate the terms of a contract one has entered into without penalty. A parent trying to resolve a squabble between two children almost instinctively turns to these liberal principles.

Hobhouse, however, preferred to rely on the judgment of "the community"—meaning the state. "The desires of individual citizens may effectuate themselves most fully through state machinery, and insofar as the law and the administration are carrying out the moral will of the majority, so far their action has just as much moral value as though it were performed by the individuals themselves."

Hobhouse was willing, grudgingly, to extend rights to any minority, just so long as it didn't try to precipitate any action. Discussion should be free; worship should be free. But, to take an example he tirelessly recycled, if a single shopkeeper wishes to work longer hours than his competitors, you must call in the police and shut him down.

A narrow definition of freedom and a loose definition of coercion enabled Hobhouse to find oppression in all kinds of market transactions. To do this he stretched the traditional liberal notion that certain members of society cannot bind themselves contractually. People were traditionally excluded if they were mentally incompetent to understand what they were doing, as are children and deficient or insane adults. Hobhouse and other New Liberals dramatically widened this category.

Oppression now occurred when the contracting parties were "unequal," when one was considered weaker. Like most New Liberal rhetoric, this stipulation was so fuzzy that it was almost meaningless. Could a factory owner negotiate with any potential employee who was not himself a factory owner? What if the would-be worker's factory didn't yield quite the profit of his prospective employer's? In the end, one had to rely, predictably enough, on the judgment of those wielding political power as to which contractual arrangements serve "the common good."

> For Hobson, the art of competition is the art of seduction. His portrayal of advertising as the Great Satan remains influential.

HOBHOUSE'S FISCAL PRESCRIPTIONS DREW heavily on the views of the Fabian Society. Founded in 1884, this small group of middle-class intellectuals included luminaries such as George Bernard Shaw, H.G. Wells, and Sidney and Beatrice Webb. They had an audacious—and self-serving—strategy: Rather than forming an independent political party or a revolutionary clique like Continental socialists, the Fabians believed in permeating existing organizations and persuading or manipulating their leaders.

The group's economic doctrines were the only original theoretical contributions of British socialism. Essentially, the Fabians extended the Ricardian theory of rent that American economist Henry George was popularizing. Ricardo's theory, which distinguished rent from other kinds of income, had little to do with the political philosophy of classical liberalism, but two generations of liberals had seized upon it as an effective bludgeon against their aristocratic adversaries. It appealed to their fervent belief that commerce and manufacturing were more useful occupations than landowning.

The Fabians argued that rent—unearned income based on the possession of superior natural resources in limited supply—did not benefit just landowners, who "grow rich while they sleep"; capitalists and workers also extracted their share. Exactly what was unjust about a skilled and experienced laborer receiving more than a novice in the same trade was unclear, although the Fabians darkly muttered about "luck" and unequal opportunities for education.

In any event, they labeled the income differential "rent," and this entitled "the community" to expropriate it. Since rent was a surplus attributable to "social factors," society had every right to reclaim it. Fabianism was thus socialism by taxation.

Hobhouse borrowed freely from the Fabians to justify redistribution of income. He granted that it's difficult to determine how much to take—what percentage of someone's earnings is "social" and what percentage is "individual." Instead, Hobhouse argued, you have to rely on a rule of thumb. Government is entitled to take all that is not essential to stimulate any given factor to produce.

The state, in other words, needs to be more tough-minded and calculating than Gradgrind himself. If a doctor will work for 5,000 pounds a year and he's getting 7,000, then tax away the rest. A judge may judge just as astutely for 25 percent less; a novelist may write equally spellbinding books for a mere 50 percent of her current earnings.

It takes about five seconds of concentrated thought to recognize that such calculations can never be made. People's needs and standards differ enormously within any job category. The salary that will elicit hard work from one individual will prompt someone else to abandon the field. And it's impossible to measure "effort." Someone whose wages have been docked 25 percent by the Central Economic Planning

Bureau on the grounds that he'll perform just as well—enabling "the community" to pocket the balance—may indeed show up for work, but it's hardly likely that his output will be unaffected.

**WHILE HOBHOUSE'S TAX PROPOSALS EXTENDED** the somewhat dubious liberal concept of rent, the rationale for public works enjoyed a more exalted pedigree. Adam Smith himself had sanctioned them. Smith, of course, had stipulated that while the project must benefit society, it could not be sufficiently profitable to encourage an entrepreneur to undertake it. Obviously this calls for more-refined judgments than the state can make. "Could it be sufficiently profitable to provide cheap fast food?" a busy New Dealer might legitimately have wondered as he waited in line at the crowded congressional cafeteria. What an ingenious federal project!

But Smith's guidelines were not sufficiently roomy for the New Liberals. To explain and justify the public works that government should promote, Hobhouse relied on his friend J.A. Hobson, the second major exponent of New Liberalism. Hobson either introduced or definitively restated nearly all the major liberal shibboleths of the 20th century. His theories of imperialism and monopoly became leftist staples. Hobson first floated the New Liberal rationale for public works in *The Physiognomy of Wealth* (1889), coauthored by A.F. Mummery. Hobson tirelessly repeated his underconsumptionist message in nearly 50 books and pamphlets, and countless articles.

As befits someone who emphasized the contributions of "the community" to productive labor, Hobson was always loath to acknowledge specific intellectual debts. His analysis of the causes of underconsumption, though, initially owed much to T.R. Malthus, who attributed it to the parsimonious habits of the wealthy. Be extravagant, the parson had urged large landowners.

Eventually, Hobson moved closer to Swiss economist Jean Charles Sismondi's approach: It was not the behavior of one class but the distribution of income throughout society that was to blame. Sismondi, who coined the word *proletariat*, argued that competition kept wages too low for workers to "buy back" their products. Opening foreign markets would help, but ultimately public works had to be set up to provide them with spending money—the happy logic being that these admittedly nonproductive enterprises wouldn't contribute to the glut of goods.

Probably anyone arguing the underconsumption thesis after the 1880s would come to favor Sismondi's more "socialistic" solution. If you exhort a particular class to spend more money, you're not going to win much of a readership. On the other hand, if you urge more government spending, you'll eventually attract an eager and credulous audience. As Frédéric Bastiat's broken-window parable illustrates, the benefits of government spending are usually visible, while the foregone alternatives are not. We see the dam, the worker's pay stub, the smiling congressman; we don't see the goods and services the taxed money would have summoned.

Hobson's theory, unlike John Maynard Keynes's, did not differentiate savings from investment. Nothing is "hoarded"; everything saved is utilized. So underconsumption leads to overinvestment and overproduction. But if you're going to condemn investment, you have to come up with an explanation as to why, in a demand-driven economy, it doesn't result in new, better, and cheaper products. Hobson's answer: The money is wasted on "arts of competition" that don't benefit the consumer.

The foremost of these is advertising. The art of competition is the art of seduction. Hobson actually made two charges: Not only are consumers being manipulated, but they are being force-fed increasingly standardized goods. This had potentially grave consequences: "If the salesmen of the mass-producers can tempt consumers ever to enlarge their demand for standard goods, they can gradually standardize the whole man." A stroll down the aisles of the nearest supermarket is sufficient to refute Hobson's claim.

Hobson's belief in the power of advertising is clearly inconsistent with his notion that the chief economic problem is underconsumption. If people can be driven into a buying frenzy for cheap, mass-produced goods, where is the problem? Hobson's books are littered with such unresolved contradictions. One comes away appreciating just how necessary were the contributions of Cambridge economists A.C. Pigou, Joan Robinson, and Keynes. Nonetheless, at the popular level, Hobson as much as anyone gave shape to the unexamined economic assumptions of the noncommunist left.

**IDEAS DON'T EVOLVE IN A VACUUM. THE BRITISH** Great Depression, an economic downturn in the final quarter of the 19th century, contributed much to the transformation of liberalism. The depression helped undermine the public's faith in economists and in "middle-class" values such as hard work, probity, and sobriety. The loss of self-confidence also made British liberals more receptive to German ideas. Liberals embraced Idealism and historicism, with unhappy consequences for individual rights. Even Otto von Bismarck's state socialism began to look attractive to advanced New Liberals.

The development of U.S. liberalism is a separate story. In America, ironically, the catlyst for the transformation was not economic failure but economic success. The rise of large corporations stimulated the emergence of our statist liberalism, though depression would eventually play a role, too.

But the arguments that American theorists advanced as they rationalized the growth of government owed a great deal to Hobhouse, Hobson, and other earnest gentlemen so impatient to do good that they had little time for economics or history. History has returned the compliment: Their names are mostly forgotten. But their brainchild, the welfare state, is still at large. As it plunders, it recites the lines they taught it. ■

*Jeff Lipkis is a doctoral candidate in history at Princeton University and teaches in the English Department at Penn State University.*

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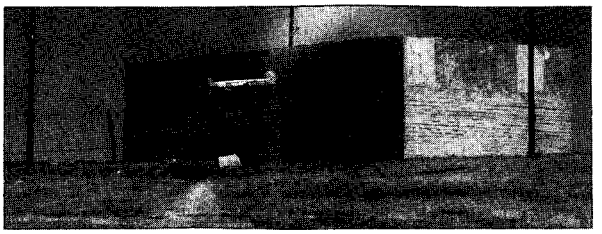
# SURGICAL STRIKES

BY T.A. HEPPENHEIMER

Journalists and politicians are like generals: They all tend to fight the last war. We see this in the reaction to Iraq's invasion of Kuwait, in which the experience of Vietnam is on everyone's mind. But few commentators have cared to view the Persian Gulf crisis in the light of what is probably the single most influential military event of recent years: the truck-bombing of U.S. Marines in Lebanon, whereby a lone driver killed 241 of our men. This single act forced President Reagan to withdraw our troops from that country.

While everyone worries about Saddam Hussein's inaccurately aimed Scud missiles, the real danger may be of an entirely different kind. Suppose a dictator like Hussein could carry out a version of the truck-bomb attack. Such a strike might not hit only U.S. troops overseas. It might be directed against our home front, destroying valuable and undefended targets. Consider:

- A terrorist loads a private airplane with explosives and flies to New York City. His target is the most vulnerable point of the George Washington Bridge, where the central span of cable rises to one of the towers. After the explosion, the bridge deck, carrying a full load of traffic, tilts crazily to one side. It dangles there, supported by a single cable; then, as more steel breaks, the bridge's main span plunges into the Hudson.
- A missile comes in from the sea, skimming the waves to make itself hard to detect. In an apartment overlooking John F. Kennedy International Airport, a man waits with a laser. At the appropriate time, he aims it at the control tower. The missile sees the resulting spot of light with its optical sensor and strikes the tower, detonating a 1,000-pound warhead. Without air-traffic control, the airport ceases operation.



**After flying nearly 400 miles, a Tomahawk cruise missile finds its target building with devastating accuracy.**

These kinds of attacks are realistic possibilities. Third World dictatorships already possess the hardware necessary for the George Washington Bridge attack and may soon have access to the missile technology required to shut down Kennedy Airport. Yet we are largely unprepared for such tactics, focusing instead on threats to our forces abroad.

An attack such as the one on the George Washington Bridge would not be difficult. The needed explosives would not even have to be smuggled. A dummy construction firm could purchase them from commercial sources. The cocaine trade furnishes ready examples of the safe houses and clandestine transport routes that such terrorists could rely on. The cocaine industry also shows how easy it is for private pilots to engage in gross illegality and how readily they can evade detection.

Current air defense would be impotent against such a threat. The Soviet Union's airspace is heavily defended, far better than our own. Yet on his first try in 1987, the German pilot Matthias Rust flew a Cessna to a safe landing in Red Square, without being shot down and apparently without even being detected.

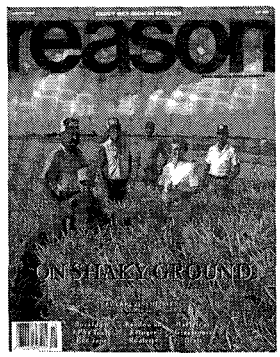
Even so, one cannot expect that the world's Husseins would stop at this. It's not that they would lack suicide pilots; those would exist in abundance. But even such a dramatic blow would still amount to terrorism, the aim of which is chiefly psychological: to shake the will of the irresolute. This is a warfare of weakness, like the sabotage carried out by French Resistance fighters while they waited for the Normandy invasion. Furthermore, such attacks would have almost no effect on an enemy like Israel, whose lionheartedness recalls that of Britain in 1940. Thus, in addition to this aerial terrorism, tomorrow's dictators would want the ability to attack specific targets at will, using precision weapons based in their own territory.

Cruise missiles, which are basically long-range versions of France's Exocet antiship weapon, fit the bill. The Exocet is used by some 30 nations, and it showed its punch quite dramatically in the 1982 Falklands War between Britain and Argentina. An Exocet launched from an Argentine fighter aircraft struck the destroyer HMS *Sheffield* and touched off fires that forced the vessel to be scuttled. The missile did this even though its warhead failed to detonate. Residual rocket fuel, exploding on impact, was all it needed.

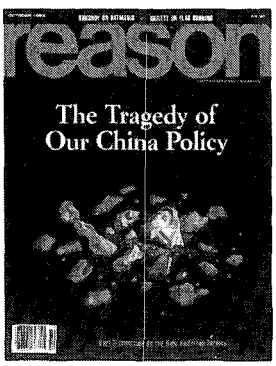
The Exocet is rocket-powered, but cruise missiles rely instead on jet engines, which give them long range. The range of the Tomahawk, America's principal ver-

PHOTOS COURTESY OF GENERAL DYNAMICS

"Government agents befriended traders, visited their homes, and shared their meals. They attended their parties, played with their children, and won their trust. They deluded the defendants and then ensnared them in order to prosecute them for the moral equivalent of jaywalking."
**—TRADER X, "SNARING THE CHICAGO 46"**




"Every five years in Peru we have elections. We elect a dictator every five years. You've confused it with democracy, and so have we."
**—HERNANDO DE SOTO, "WHAT'S WRONG WITH LATIN AMERICAN ECONOMIES"**

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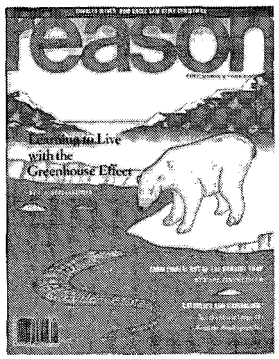
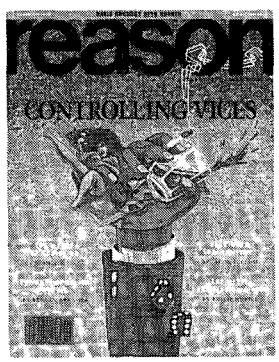
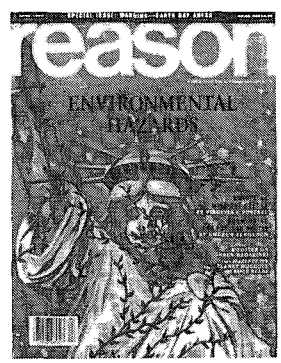



"For all the right-wing grousing about Washington and the majesty of the government 'closest to the people' (yeah, like right inside their wallets), state and local governments in America are notoriously shady enterprises, demonstrating the twin evils of local monopoly and a cozy-with-the-powers press."
**—THOMAS W. HAZLETT, "LOCAL HEROES"**




"When the law determines vice and virtue, everyone competes to determine the law. We end up with a struggle between those who can't tolerate the idea that anyone anywhere is having fun and those who can't tolerate the idea that anyone anywhere disapproves of their fun."
**—VIRGINIA I. POSTREL, "SIN AND DECADENCE"**

"Dr. Ehrlich was an entomologist by training, and some immediately recognized that after many years of rigorous study, he had lost the capacity to distinguish between an army of hideous little arthropods swarming over his desk in a Stanford laboratory and an upwardly mobile population of Homo sapiens building tract houses in Palo Alto."
**—ANDREW FERGUSON, "APOCALYPSE WHENEVER"**

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sion, is 1,500 miles. The engine needs to operate for only a few hours at most, in contrast to the thousands of hours that an airliner's engines must run. Hence it can be built to lower standards of quality, often using cast rather than machined parts.

A distinctive feature of the cruise missile is its guidance, which allows it to determine from time to time where it is. The missiles are fitted with inertial guidance, but such systems tend to lose accuracy as the missile flies. To detect errors when flying over land, the Tomahawk relies on a technique called TERCOM (terrain contour matching). Its computer carries maps of the local terrain as seen by radar altimeter, one map for every 100 or so miles. At appropriate times, the computer studies the terrain that the missile's altimeter is seeing, compares the readings to those of an appropriate map, and thus determines the missile's position. This updates the inertial guidance, which can keep the course until the next position check.

The resulting accuracy can be quite high. In an early test, a Tomahawk launched from a submarine off the California coast flew 300 miles to a test range in Nevada and sailed into its target, a banner stretched between two poles. Such accuracy, however, depends on the availability of terrain maps, which are made by aircraft. What's more, a cruise missile cannot readily use the TERCOM technique to cross an extensive stretch of ocean and hit a land target.

But the Navstar navigational system will overcome these problems. Navstar, which is just coming into use, relies on a global network of navigational satellites. It can be used either as a complement to TERCOM or as a substitute for it. In the latter case, it eliminates the need for digitized terrain maps, which may be difficult for a Third World government to obtain. Navstar operates at all altitudes, over sea as well as land, and in all weather. In tests it has enabled missiles to determine their position to within 12 meters.

Laser guidance allows even higher accuracy. In this technique, a laser operator, who can be far from the missile launcher, shines a laser onto the target. An optical system in the missile sees the spot and directs the weapon accordingly. Laser guidance was the basis of the "smart bombs" of the Vietnam War, with which the U.S. Air Force succeeded in knocking out heavily defended North Vietnamese bridges that had withstood earlier attacks. In land warfare, their counterpart is the Copperhead, a rocket fired from a 155-mm howitzer. It can knock out a tank at ranges exceeding 10 miles, which is far beyond the reach of tank-mounted cannon.

Laser guidance has shown its usefulness in the Persian Gulf war. A dramatic example was the destruction of the Ministry of Air Defense in Baghdad. That building had a thick roof and was located in a part of the city where fear of civilian casualties might have discouraged attack. But an Air Force "smart bomb," probably using laser guidance, flew into an air shaft and blew it up.

**One correspondent reports seeing a cruise missile fly purposefully down a Baghdad street at rooftop altitude, following its course as if it were consulting a road map.**

Even with only TERCOM and without lasers, the Tomahawk has also been a mainstay of the war with Iraq. It has been fired by the hundreds and reportedly has shown an accuracy in aim of 25 feet. One correspondent reports seeing such a missile fly purposefully down a street at rooftop altitude, following its course while avoiding buildings as if it were consulting a road map.

In addition to offering very high accuracy, cruise missiles have the advantage of being lightweight and compact. In size they are much more akin to torpedoes than to aircraft. This means that an enemy could easily carry them across oceans. Naval vessels with displacements of only a few hundred tons, smaller than a destroyer, would suffice to carry a full load of cruise missiles. Third World navies include hundreds of such warships. Diesel-powered submarines would also be attractive, and several nations build them: Germany, Britain, France, Sweden, the Netherlands, and the Soviet Union. These also have been sold within the Third World in substantial numbers.

Currently only the United States and the Soviet Union have cruise missiles, but many other countries already have access to the basic elements: aircraft-type inertial navigation systems, microprocessors, Navstar receivers, lasers, optical detectors, and the technical capability to build jet engines that need work for only a few hours.

It's not hard to imagine the results of a major offensive conducted with such weapons. Our view of attacks on cities carries the strong influence of World War II, when massive air attacks burned wide areas to the ground, often killing tens of thousands of people. But after a major attack by cruise missiles, New York or Los Angeles would appear nearly the same as before. Only a close look would show the damage.

One could go for miles without seeing a bombed-out building. But major bridges and freeway interchanges would lie in rubble, producing unbelievably snarled traffic and largely cutting off Manhattan from the other boroughs. Airport runways and hangars would be undisturbed, but the loss of control towers would virtually put an end to commercial aviation. At the seaports, the large and specialized cranes for container ships would lie broken and twisted—and with them, the ability to load or unload today's cargo vessels.

Well-placed hits at electrical plants would knock out the power grid. Similar strikes at major oil facilities would touch off raging fires while putting motorists in a panic over the availability of gasoline. The destruction of communication facilities such as AT&T's long-distance telephone center in Bedminster, New Jersey, would take out much of the phone system. Hits on major bridges would

break the railroad and highway networks into isolated fragments.

Indeed, this appears to be a reasonable description of what Baghdad will look like after the present war. There, too, the targets are quite specific: government ministries, power plants, military facilities. The accuracy of U.S. weapons makes it likely that few civilians will see their homes destroyed—and yet the city already is quite unlivable.

How likely is such an attack within the United States? It would be one thing for a potential foe to develop cruise missiles, and even to build and deploy them in large numbers during peacetime. It would be another thing entirely for the enemy to maintain its ability to produce and launch such weapons in the face of an American counterattack. Yet the ease with which they could be hidden and launched, for a considerable time even after the outbreak of a war, might prove tempting.

Such low-cost instruments of destruction can destroy targets with thousands of times greater value. Both the Lebanese truck-bomb incident and the sinking of the *Sheffield* are examples of such attacks. And the United States, both in its cities and in its armed forces, offers an abundance of high-value targets that are suitable for such weapons, ranging from bridges to aircraft carriers. Indeed, such valuable items are a hallmark of the sort of war our planners prefer.

Cruise missiles and similar weapons do not mean that war as we know it is obsolete. They have only limited effectiveness in the kind of war fought between Iran and Iraq during the 1980s, a war of massed infantry, artillery, and intermediate-range missiles. But they are likely to be highly significant in any future shooting war with the United States, as well as in acts of terrorism. And if such events cause us to lose our will, as was the case in Lebanon, then tomorrow's Saddam Husseins will find it all too easy to conclude that America is something less than a serious military force in the world.

*Contributing Editor T.A. Heppenheimer is an associate fellow of the American Institute of Aeronautics and Astronautics.*

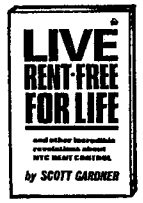

# two for the price of one

I recently wrote a book lampooning the bizarre absurdities of New York City's fifty year old Rent Control system. Readers have told me that my book, "Live Rent-Free For Life," was so funny, it made them laugh out loud, sometimes through their tears.

But just because I mercilessly poke satirical fun at this "temporary wartime measure," does not mean that I am unaware of the unique contribution rent control has made to our American way of life. This is the only system in effect today that combines the best features of the two major philosophical innovations of the Twentieth Century.

Rent control's ingenious solution to the city's chronic housing crisis is to turn landlords into scapegoats, echoing the "final solution" of Nazi fascism. And by effectively confiscating private property, it mirrors the main thrust of Soviet Bolshevism. Now tell me, where else can you get two benefits like that for the price of one?

While many of my readers do indeed find rent control to be a laughing matter, I personally have found it even more ludicrous that so many still believe rent control is a humanitarian law. My book is so disturbing to the delicate sensibilities of our liberal brethren that most bookstores are afraid to stock it, although mail orders coming in from every State in the Union show that "Live Rent-Free" has struck a responsive chord. To order direct, send $11.95 to: SCOTT GARDNER, Box 248D, 1173A 2nd Ave. New York 10021. Or call toll-free: **1-800-388-7738**

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# CURFEW CRAZE

BY JOHN HOOD

It's a teenager's fantasy: Violate your curfew, and your parents, not you, get punished for it. But in a growing number of cities, especially in the South, it isn't a fantasy—it's the law.

In Atlanta, youths under 17 years old now have a legal curfew of 11 P.M. on weeknights and midnight on weekends, with a few exceptions for work trips or school activities. Under the city law, passed last November amid a flurry of national press attention, parents are held responsible for repeated violations of curfew by their children. They face up to 60 days in jail and $1,000 in fines.

Soon after Atlanta's law went into effect, the city police department began getting calls from other cities across the South. Police chiefs, city council members, and civic leaders wanted to know how the Atlanta curfew worked and how best to enact similar laws in their own towns. Not all cities plan to mimic Atlanta's penalties on parents—some prefer to slap penalties on the violators themselves—but most curfew proponents say their goals are the same as Atlanta's: to protect teens from random street violence and to limit teen involvement in the "drug culture."

So far, the strongest and most predictable opposition to the curfew craze has come from the American Civil Liberties Union. "It is our view that the [Atlanta curfew] law restricts youngsters' rights of association and gathering," says Ellen Spears of the Georgia ACLU. The arguments Spears and other civil libertarians use fall into roughly three categories: racial discrimination, police conduct, and constitutional issues.

The fear that the enforcement of curfews will unjustly target black youths and codify festering white racist attitudes about crime is the most controversial, the most publicized, and the weakest argument made against curfews. One reason curfews are making a re-emergence in the South—after 20 to 30 years of late-night freedom for youths in many cities—is that blacks have begun to make serious inroads into local political power. During the 1970s and mid-1980s, white mayors and city councils shied away from measures, such as curfews, that might have appeared racist.

Today's curfew proposals are being made, with few exceptions, by black leaders. (In northern cities, such as Detroit, where blacks have long dominated city hall and police departments, curfews were already frequently used.) Daveeta Johnson, a Democrat on the Atlanta city council, sponsored that city's curfew with support from Mayor Maynard Jackson and Police Chief Eldrin Bell. In Charleston, South Carolina, City Councilman Robert Ford, another black Democrat, has proposed a similar curfew.

Ford counters arguments about race by saying that white leaders hesitate to impose restrictions on their children when the only teen crime victims are black. "I'm not going to wait for the white kid to get beat up," he says.

It's the victims of crime, not snooty city residents wanting lily-white and adult-only streets, who form the strongest bloc of votes for ideas like curfews. In most cities, that vote originates in minority communities racked with crime. Gary Alan Fine, a sociologist at the University of Georgia, says that public support for curfews and other generalized responses to crime come in waves—corresponding less to actual blips in crime rates than to heightened concern about children.

"In the late '80s and into the 1990s," he says, "we are witnessing a mini-baby boom, so issues surrounding children are becoming especially salient." And much of the birth boomlet has occurred in the black community. Whatever the motivation, urban blacks tend to favor more drastic anticrime measures than whites do, at least in the South.

Concerns about racial discrimination, however, do put curfew enforcers in something of a bind. To avoid charges of targeting black youths, police departments in Atlanta and elsewhere have promised to enforce statutes equally across the whole city. But, in fact, some areas are more dangerous than others—and the dangerous ones, for various reasons, tend to be poor, black neighborhoods. So police chiefs can either target their enforcement on high-crime areas, and submit to charges of discrimination, or they can spread their enforcement widely, and potentially dilute the effect of the curfew.

Some city governments have recognized this potential dilemma. A report prepared for the Charlotte, North Carolina, city council by that city's police department stated that a curfew that could escape legal challenge while still being strong enough to affect crime "will be difficult to write."

The ACLU's Spears and other curfew opponents say that one of the most dangerous effects of the laws would be to give enormous power and discretion to

PAMELA HOBBS

police officers. Indeed, many police officials welcome curfews because such laws can help them fight the war on drugs. Just as sodomy statutes give prosecutors grounds to convict suspected rapists when evidence of the rape itself is scant, so curfews give police officers the ability to break up "questionable" liaisons on the street and the right to stop and detain underage teens. Civil libertarians worry that using curfews this way reduces the burden on police to have probable cause before confronting citizens—after all, probable cause for stopping a guy becomes, "He looks young."

Curfew advocates essentially grant this argument. "We are trying to give police officers as many tools as possible to approach people selling or using drugs," says Pat McCrory, a Charlotte city councilman who plans to sponsor that city's curfew ordinance. The burden of proof is *expected* to shift to young people out at night. After all, says Sheriff Allen Sloan of Richland County, South Carolina, where a curfew passed earlier this year, "What good can possibily come out of a 13-year-old kid out at 2 o'clock in the morning?"

But some police departments are less than enthusiastic about the prospect of enforcing curfews. Foes point out that many hard-pressed police forces can ill afford to spend their time enforcing curfews when serious crimes are occurring throughout the city. Some officers and police chiefs agree.

"When you catch a kid, you've got police tied up trying to find the parents," Bill Myers, a Birmingham city councilman and former police chief, told Cox News Service. "Personally, I'd rather have that police officer out on the street trying to prevent crime."

Curfews, however, have received a mixed message from the nation's courts. In one of the most celebrated curfew cases of recent years, a federal judge struck down—the night before it was to go into effect—a curfew ordinance passed by the District of Columbia's city council in 1989 and signed by Mayor Marion Barry. The judge, who said that the law "gives me the chills," noted that the curfew raised "serious constitutional claims" for juveniles, due to the breadth of teen activity it prohibited and the lack of clear evidence that suspending teens' rights would reduce crime.

The Atlanta curfew bears some resemblance to the ill-fated Washington law—which also fined parents and empowered police officers to detain youths at police stations until their parents picked them up. Spears says the ACLU will challenge the Atlanta ordinance on much the same grounds it did the Washington curfew.

But even the clarity and notoriety of the Washington decision didn't deter cities from enacting curfews. A few months later, the nearby Virginia town of Quantico imposed a 10 P.M. curfew on minors, and in that state some 40 cities and towns have curfews on the books—though few are really enforced.

The problem is that most courts haven't ruled out the use of curfews in general, just questioned breadth or procedure of specific laws. While curfews in D.C., Clarksdale, Mississippi, and other municipalities have been struck down by courts or Constitution-minded city councils, curfew and antiloitering laws in Detroit, Newark, and Camden, New Jersey, have survived legal challenge. Though controversial when enacted three years ago, the New Orleans curfew last September got a vote of support from the city council, which also appropriated money to expand enforcement efforts.

One explanation for the failure of some constitutional challenges to curfews may be overreliance on slippery-slope arguments. When curfew advocates make a clear distinction between the rights of children and the rights of adults, and portray a curfew as a case of a government helping to "guide and nurture" children, they sound reasonable. Imposing a curfew on children seems to create, at most, a slight incline, not a steep cliff, pointing in the direction of authoritarianism.

A stronger argument is that while juveniles aren't equivalent to adults in legal rights, they still enjoy strong constitutional protections. "The [Atlanta] curfew makes exceptions for people exercising First Amendment rights," says Spears, "but our argument is that the First Amendment also protects their rights to associate and gather."

Furthermore, where children's rights end, parents' rights traditionally begin. Instead of strengthening parental authority, curfews usurp parental prerogatives, since under most ordinances teens can't violate curfew *even with parental permission*. One curious aspect of the Atlanta law is that it lacks specific provisions for taking care of teen violators should their parents be jailed.

Even more curiously, "there are no data on curfew laws which indicate that they are effective as crime-fighting tools," says sociologist Fine. As then D.C. Police Chief Maurice Turner pointed out during that city's curfew debate, "the average [murder] victim is 31 and the average perpetrator is over the age of 18."

In fact, the only pertinent data sociologists do have is that children are more likely to be hurt or killed by their parents than by strangers on the street. If government wants to protect children by painting with a broad brush, a more statistically sound approach would be to forbid children from staying at home between 7 P.M. and midnight—the prime time for child abuse.

Of course, this is a silly idea, but no more silly than shepherding all teenagers home at 11 P.M. because a scant minority might be "sucked into the drug trade" or shot in drive-by shootings. Penalizing crime, not potential victims, is not only the approach most consistent with our legal and constitutional traditions, but also the only one that targets scarce resources toward the actual problem of violent crime. But if the problem, as city councils and police forces perceive it, is that probable cause and constitutional protections hamper their ability to wage war on drugs, then curfews do indeed represent an advance—an advance in government power.

*Contributing Editor John Hood is publications and research director for the John Locke Foundation in Raleigh, North Carolina, and a columnist for* Spectator *(N.C.) magazine.*

# PEOPLE'S CAPITALISM

BY JOHN H. FUND

It seems that half the political jokes in Prague center around Václav Klaus, the country's hard-charging, free-market finance minister. A favorite has a group of people, including Klaus, being asked to identify an upturned bottle top. All except the finance minister give the expected reply. But Klaus, who favors dispensing with food subsidies, says confidently, "It's a pan for frying steak."

Many Czechoslovakian intellectuals and political leaders oppose Klaus and his bold plans for "a market economy without any adjectives." In December, seven of the 10 ministers in the Civic Forum government founded a Liberal Club to support policies that "lessen the effect of the economic reforms on socially weak groups."

But Klaus seems to have surprising popular support. In the June 1990 elections, he won more votes than any other candidate (President Václav Havel was not on the ballot). In October he won a stunning 70-percent victory among Civic Forum delegates to become chairman of the group. And in a tempestuous conference in January, he won approval for his vision of Civic Forum as a real political party with a firm, antisocialist platform. A recent Czechoslovakian TV poll places him only 5 percentage points below President Havel in popularity.

In January, the first "Klauskrieg" on socialism began when the government removed price controls on 85 percent of goods, restricted the money supply, and made the Czechoslovakian crown largely convertible. Many predict the inevitable short-term decline in living standards will undermine Klaus's political support.

For now, though, he is riding high. Foreign Minister Jiri Dienstbier, a leading reform Communist during the 1968 Prague Spring and a leader of the Liberal Club, is despondent at the direction Civic Forum is taking. "We have come once again to having a party run by people who issue membership cards and advocate adherence to an ideological program," he mourns. By European standards, the new Civic Forum platform is certainly an ideological, laissez-faire document. "We mean to totally depart from socialism in all its forms," it proclaims. "A symbiosis of central planning and the market is not possible....We reject 'perestroika' types of regulated market economics."

The platform goes on to say that its vision of Czechoslovakia is a society, the

**Civic Forum's platform rejects *perestroika* types of regulated economics.**

"pillars of which are individual citizens, families, townships, counties, and the state, in the above order. Free citizens are the source of political, economic, and moral initiative." A section on social justice calls for help to "the poor, sick, old, or otherwise handicapped individuals," but stresses that help should not destroy individual initiative or discourage private aid. As for foreign policy, "The principal guarantor of freedom and peace in Europe has been and continues to be the NATO alliance."

The platform also includes a rousing endorsement of Klaus's plans for "radical privatization in all fields of industry, agriculture and services." In January, the auction of all state-owned small businesses began. For larger firms, Klaus wants to follow the 1989 Velvet Revolution for political freedom with an economic one: a giveaway of much of the nation's capital to its citizens.

The first offering, for 20 percent of state assets, will give every Czechoslovakian vouchers representing the right to buy shares in state companies. The remaining 80 percent will be offered next to Czechoslovakian investors, with employees in state firms and the former owners of nationalized companies allowed to buy at a discount.

But the lack of domestic capital will mean that many of the assets will then be offered to foreign investors. "The irony is that the only way not to sell things too cheaply is to give some of them to the people," Klaus says. The voucher program would be a bold maneuver around many of the hurdles facing privatization in Eastern Europe.

One advantage of a voucher system is that there is no need for time-consuming asset valuations—an overnight market in shares would develop. And, notes former Klaus adviser Jan Tauber, "Concern about foreign investment will weaken when people, and not the state, are allowed to sell to foreigners. Then people no longer think you are selling the family silver; it is making a good business deal."

After a speech last fall outlining his privatization plans at a meeting of the Mont Pelerin Society in Munich, Germany, Klaus was surrounded by German business reporters. One, openly skeptical of the voucher idea, noted that West Germany became a capitalist giant even though only 2 percent of its people own shares.

"Oh yes, your great social market economy," Klaus teased. "We plan to go beyond it. It is insufficiently dynamic for what we want to create. We Czechs hope to have the courage to try something the world can learn from—a genuine people's capitalism."

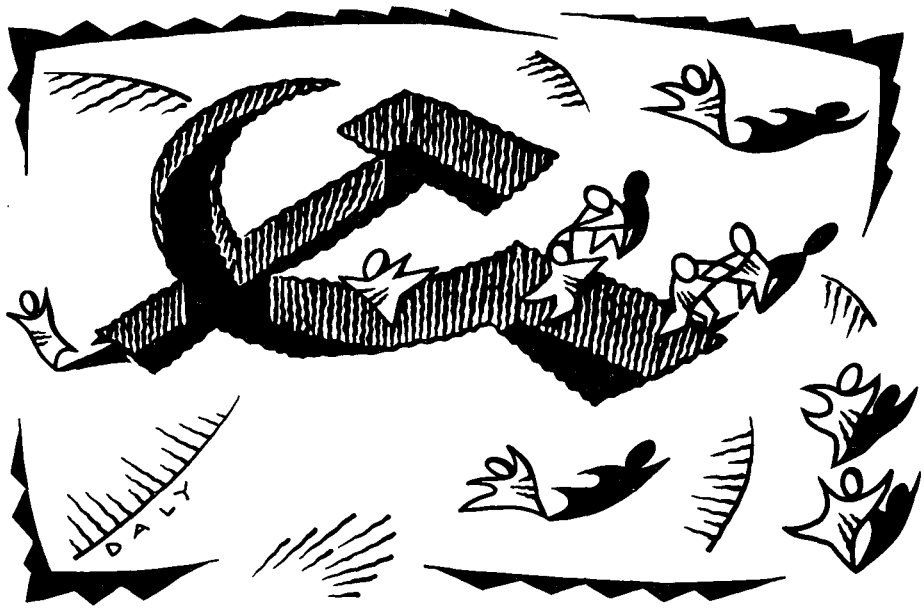
*John H. Fund is an editorial writer for the* Wall Street Journal. *He visited Czechoslovakia in January.*

## The Decline and Fall of the Soviet Empire

BY VLADIMIR TISMANEANU

***From Yalta to Glasnost: The Dismantling of Stalin's Empire***
**By Agnes Heller and Ferenc Fehér, New York: Basil Blackwell, 288 pages, $32.95**

**Lighting the Night: Revolution in Eastern Europe, by William Echikson**
**New York: Morrow, 295 pages, $22.95**




TOM DALY

The extraordinary speed of the events that took place in 1989 in East and Central Europe created such an excitement that many saw the crumbling of the Soviet empire as a sort of miracle. But some analysts of the political and social affairs in what was once known as the Soviet "outer empire" had long predicted that this conglomerate of East and Central European colonial states wouldn't hold together without direct Soviet intervention.

Among those analysts were Agnes Heller and Ferenc Fehér. Former students of Georg Lukács, the patriarch of revisionist Marxism, they were forced to leave Hungary in the 1970s when János Kádár launched a vicious campaign against their humanist critique of "really existing socialism." Today, they teach at the New School for Social Research in New York City.

Proponents of a radical democracy, rooted in respect for the inalienable rights of the individual, they have produced a seminal contribution to the discussion of Marxism and communism. Their unique blend of intense moral commitment and rigorous political analysis has often challenged the self-righteous mythology of modernized versions of Marxism. While other leftists closed their eyes to the totalitarian horror, Fehér and Heller revealed the imperialist nature of the Soviet system.

Over the years, Heller and Fehér have focused on the inner flaws of communist regimes. In this new collection of some of their best essays, they provide a comprehensive and unorthodox interpretation of Eastern Europe's decades-long struggle against communism. For them, the revolution in Eastern Europe wasn't simply a rejection of bureaucratic-collectivist domination but also a search for national self-assertion by countries forcibly turned into Soviet satellites by Stalin at the end of World War II.

The two write with passion. Indeed, the authors confess from the outset that they have participated in the debate among the opposition in Eastern Europe over which strategy will best transcend a system that wished to completely annihilate any source of dissent and criticism. They write to reveal history—not simply to add another academic treatise on the transition from dictatorship to democracy.

For Heller and Fehér, the meaning of the 1989 upheaval can't be captured without reference to what they call "East Europe's long revolution against Yalta." Yalta, of course, was the international arrangement that permitted the establishment of puppet regimes in the countries occupied by the Red Army at the end of World War II. "The anti-Yalta revolution had four distinct phases in eastern Europe," they write. "The first phase took place in the immediate postwar period in which the groundwork of the Stalinist system was laid. The second spanned the three to four years immediately following Stalin's death in 1953. The third, long period included Khrushchev's last years of power and the whole Brezhnev era which, with respect to Yalta alone, showed a remarkable degree of similarity." Finally, the fourth coincided with the spasmodic attempts by the Soviet elite under Mikhail Gorbachev to overhaul the obsolete communist system and to establish a new international arrangement in relations with the West.

The 1956 Hungarian revolution epitomized Eastern Europe's rejection of such a frozen world. At the moment the

prime minister, Imre Nagy, proclaimed Hungary's withdrawal from the Warsaw Pact and his country's neutrality, he defied all the existing rules of the game. The Hungarian insurrection foreshadowed the great turmoil of 1989, the rise of political pluralism, and the complete breakdown of the repressive communist system. Unfortunately, in 1956 the Soviet Union was still controlled by a Stalinist mafia with absolutely no tolerance for spontaneous movements from below.

The authors discuss the meaning of Kádárism, the political and economic system established in Hungary after the crushing of the revolution. They demonstrate that behind the apparent benevolence of the regime, the repressive features of communist authoritarianism were jealously guarded. Unlike many others who, in the 1970s and early 1980s, were enthralled with the Kádár regime's more liberal policies, Heller and Fehér maintained a critical distance that permitted them to anticipate the inevitable collapse of a regime that dissident writer Miklós Haraszti aptly called the "velvet prison."

The book also includes a number of illuminating essays about the sense of Gorbachev's reforms. Initially, Heller and Fehér were extremely skeptical of Gorbachev's intentions. They regarded the new reformist wave in the Soviet Union as an effort to update Khrushchevism. In other words, it was an attempt to preserve the old system by tinkering with its most repellent elements.

Writing about Gorbachev's desperate desire to modernize the Soviet system without really renouncing the Communist Party's hegemonic role, Heller and Fehér conclude, "Gorbachev is truly an heir to the worst illusions of the Khrushchev era. He too keeps squaring the circle, reducing what is a social and political problem to the level of a mere technological dilemma." As the events in Eastern Europe showed, economic reforms can't be successfully implemented in the absence of radical political reforms. While they remain skeptical of Gorbachev's motivations, the authors believe that the process of reform may have gone too far to be stopped.

The real changes in communist countries couldn't come from voluntary concessions by the corrupt and parasitic bureaucracies that ruled them. The anti-Yalta revolution included a social dimension, a struggle of society against an ossified and blatantly inefficient political and economic system. One can't do full justice here to a book full of historical insights and provocative ideas. With its political and philosophical élan, this book is one of the best and most convincing efforts to explain rationally the development of social and political movements that ended the Yalta system and started the democratic reconstruction of post-communist societies.

**Echikson's analysis shows why change had to come from the beleaguered independent networks rather than from the compromised, cynical ruling party.**

An excellent survey of the movements that championed the breakdown of communism is offered by William Echikson in his sympathetic account of the "upheaval in the East" (to quote the headline of the *New York Times* pages dedicated for months to events in the former Soviet Bloc). A longtime correspondent for the *Christian Science Monitor*, now with the *Wall Street Journal*, Echikson has managed to avoid the usual pitfalls of journalistic reports: a fascination with the spectacular and a reluctance to examine complex intellectual and ethical issues readers often find either abstruse or tedious.

Echikson uses a more ambitious and certainly more thorough approach. Unlike Heller and Fehér, his account is highly personal. He gives us his story of how communism fell apart. His story focuses on the social origins of the upheaval rather than on petty squabbles within the communist bureaucracies. In this respect, both books emphasize the role of independent social movements in the disintegration of the once apparently monolithic bloc. Both insist that underneath the facade of unanimous acquiescence to the status quo there were deep-seated forces that expressed what Václav Havel called "the independent life of society."

Actually, even the experience of the Budapest school of critical Marxism, with the disappointments it encountered trying to reform Marxism from within, played an important role in the maturing of the democratic opposition in Hungary. Before leaving their native country, Heller and Fehér were central figures within this school, together with authors such as Mihály Vajda, György and Maria Márkus, György Bence, and János Kis. Some joined Heller and Fehér in immigrating to the West. Others, such as Kis, remained in Hungary and founded networks of independent thought and action.

Kis is now chairman of Hungary's Alliance of Free Democrats, the country's second largest political party. The Free Democrats' political program is pluralistic and liberal. Given the prominence so many of these intellectuals have attained, Echikson's fascination with the nuclei of civil society—voluntary, nongovernmental groups and associations—in Central Europe was totally legitimate. Indeed, he was one of the few Western journalists to understand that political change in the region would be sweeping, rapid, and all-embracing.

Echikson's analysis shows why this change had to come from the beleaguered independent networks rather than from the compromised, cynical ruling parties. These new movements embodied a different understanding of politics, one rooted in universal human values and respect for individual rights. Students of Eastern Europe will discover in Echikson's book insightful comments and information about the meaning of civil society in Eastern Europe. (The term, now fashionable, was initially considered obscure and even irrelevant. Echikson mentions that his editors at the *Christian Science Monitor* refused to let him use it. But he persevered in watching the movements from

below and their major activists.)

Echikson pays special attention to dissidents such as Polish historian Adam Michnik, Czechoslovakian playwright (now President) Václav Havel, and Hungarian writer Miklós Haraszti. What is original and refreshing about this book is its rich collection of information about the underground groups and movements in the region and Echikson's ability to highlight their role in their societies' awakening. He details, in a perceptive and thought-provoking manner, the rise of new political formations from the larger matrix of civil society. For him, the collapse of communism was caused by the growing chasm between the decaying official institutions and the mounting movements from below who represented the real interests and aspirations of the people.

Echikson claims that when the ruling elites have accepted their defeat, civil society has exhausted its revolutionary potential, and the time for the revival of political parties that would propose alternative strategies for social change has arrived. "When Eastern Europe's communist rulers accepted the principle of a multi-party state, the need to create conventional standard political parties replaced the slow, step-by-step construction of Civil Society. The opposition assumed power. People who were conditioned to think only of what they didn't want now had to think of what they wanted. They could no longer just be against. They had to be 'for' something. Civil Society was a product of living in defeat. A new political structure and strategy were needed to manage victory."

Echikson is right. Civil society represents a prerequisite for the reinvention of politics in countries where the system tried for decades to make the individual fearful and obedient. At the same time, one cannot categorically separate the new stage from the old: Civil society is also a methodology for society's self-organization—the construction of a social space that escapes governmental controls.

Today, as these countries engage in building free markets and unbinding the individual, the development of solid and viable civil societies remains an actual component of democratization. This is even more urgent in countries such as Romania and Bulgaria, where the opposition to communism was less articulate than in Central Europe and where the former Communist parties have managed to preserve their domination even after the 1989 upheaval.

Structured along thematic lines, the book shows the author's skill in comparing different cultures and political traditions. Particularly exciting is the section dealing with the resurrection of old passions long repressed by communist rule. Echikson concludes his book in a moderately optimistic tone. He thinks that, at least in countries such as Poland, Hungary, and Czechoslovakia, the leaders of the new Eastern Europe are people of great integrity and dedication. Although many dangers are looming in that region, including the rise of populist and ethnocentric movements, one cannot forget that these societies have learned much from their experience of totalitarian dictatorships.

There are strong nationalist passions in East and Central Europe, to be sure, but there is also a powerful desire to create free and prosperous societies.

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## Generation Gaps

BY KARL ZINSMEISTER

**Beyond the Boom: New Voices on American Life, Culture & Politics**
**Edited by Terry Teachout, New York: Poseidon Press, 215 pages, $18.95**

Observers faced with the task of reading flows in American culture often do so by slicing off significant subpopulations for detailed examination. One favorite cut is by age—"generations" have long been viewed as crucial dividing lines for understanding social behavior and attitudes. But the recent track record of generation-based social theorizing is not very inspiring. An egregious example pertains to the '60s kids. We were told over and over that they were unlike anything the human race had produced previously, yet in middle age they've turned out to be mostly indistinguishable from other Americans.

Part of the problem with the 1960s generation-break blather was selective focus. The 10 percent who shredded draft cards, mixed them with hashish, rolled the by-product in their bras, and burned the whole concoction in a water pipe were put forth as representative. The regular-guy stiffs who joined the Marines, had children and then actually raised them, took jobs or created them, converted to Good News Christianity, and went deer hunting were, as usual, invisible to the people writing about over-affluent, greening, tuned-out Americans from their graduate school command posts.

**The *Beyond the Boom* bunch shares the "thirtysomething" tendency to whine.**

Another part of the problem was that people not only can but almost always do change their minds about the world as

they grow up. A generation that in college decides that marriage is rape, slavery, or just too bourgeois will, you may be sure, have a somewhat different view 10 years (and eight shiftless boyfriends) later. In each generation, a somewhat different set of ideas smashes up against the walls of experience and revelation, so the process cannot be accurately predicted in advance, but we know important revisions in attitude will take place.

These problems bedevil current attempts at generational encapsulation every bit as much as they did previous efforts. Still, people keep trying. The latest effort is a collection of essays titled *Beyond the Boom*, in which 15 young writers try to make the case that "late baby boomers" between the ages of 29 and 39 comprise a cohesive group, far more accomplished than their older brothers and sisters of '60s fame, and influential to the point that they are likely to set the tone for American society in the 1990s.

Ambitious contentions, those. And complicated by the authors' further claim that, collectively, they are representative spokespersons—"the true voices"—of their generation. This is an interesting statement, given that the foreword elsewhere divulges that "all but three of us live and work in the New York [City] area." (The other three reside in Washington, D.C., Washington, D.C., and Brussels, respectively.) Maybe they covered the geographical-representation factor during their college years: "We went to Yale, Harvard, the University of Chicago, Berkeley, and all points in between."

Well, we won't hold any of that against them, but what about the real meat and potatoes—how many of them have joined in the ultimate human pageant by becoming spouses and/or parents, people responsibly linked to others by pledge and blood? These 15 representatives, average age "35," report they have produced a total of nine marriages and six children. The comparable figures for a true national sample of 30-year-olds would be about 12 marriages and 25 kids.

OK, there has never been any shortage of well-educated, undercommitted New York City inmates willing to advise the rest of the country on how the world works, and sometimes—as in this volume—some of them even do a pretty good job of it. But it would be nice, *very* nice, to someday hear a few such pontificators acknowledge, in between bites on the national soul, that their wisdom represents but one small portion of this nation's collective intelligence.

Many of the contributions in *Beyond the Boom* would best be categorized as New York urban essays. They are interesting enough on their own terms. It is not possible, however, to pretend they form a complete generational portrait. And when the authors do extend their observation into generalities—as when Maggie Gallagher turns an understandable (and otherwise quite interesting) gripe about New York City's idiotic real estate market into a moaning complaint that young parents today have to put up with less grand houses than they themselves grew up in—the results can be both erroneous and a little annoying.

Similarly, I don't believe Roger Kimball's contention that the year 1950 "seems to us to have been a time of cultural giants" is going to set epiglottises vibrating among many of his fellow baby boomers. Relatively little of the spirit of our age is captured in the discussions of high and low contemporary culture presented here. I myself can't imagine not being at least a *little* pleased by some of the changes since 1950. Take architecture. Take the Nash Rambler. It's not hard to understand how a critic might have come to dislike many of today's movies, books, magazines, paintings, musical pieces, and so forth. But one might hope they could at least explain why so many of their compatriots do like the stuff. There's too much abstraction and too much distance, not enough "real life," throughout this volume.

But, for reasons I've already mentioned, I would have approached even a more balanced book on this subject with a measure of skepticism. It is, after all, extremely difficult to generalize accurately and usefully about the inner life of 42 million people (which is the number of Americans currently in their 30s). And even if one could show that all 42 million really do, say, love Cajun food and Japanese industrial products and hate dams that hurt snail darters, it would be next to impossible, it seems to me, to know how they will feel about these and many other things after 30 years of regular experience with them. Who would have guessed Eldridge Cleaver and millions of flower children would end up as born-again small businessmen?

A smart observer would make his generational dissections only after the subjects had fully passed through middle age. At that point, lots of actual history is available, and it's unlikely many big surprises will lie ahead. A smart and lazy observer probably wouldn't do generational dissections at all. Fact is, consecutive age cohorts rarely show radically different patterns of living or opinion. New attitudes and practices tend to evolve across the nation as a whole, not just within peer groups. Factors like class, region of residence, family experience, and recent economic trends tend to be far more decisive in understanding and predicting personality than birth year.

That said, I will acknowledge that current trends *are* making age and generation membership more decisive influences on personal character than they were in the past. Several factors are involved. One is that it has become so much more common for different age groups to live separately. Increased wealth has allowed a great expansion in the number of separate households and a sharp decline in multigenerational living. Three-generation homes have virtually disappeared. The young have become separated not only from grandparents but even from parents in many cases, thanks to family breakdown and increased institutional rearing of young children. Same-age compatriots have become the dominant influence on many American children, and cross-generation bonds are weaker.

Government entitlements have also eroded natural alliances among age groups. Social Security payments have distanced old people from the young and supported the rise of completely segregated retirement ghettos in the Sunbelt.

Social Security has also caused the elderly to organize themselves into an astonishingly cohesive and self-maximizing political faction. Payroll-tax *payers* are consequently being forced into their own (age-stratified) defensive encampments. Working adults have also begun to differentiate their interests from those of very young Americans to a degree rarely seen in the past, thanks in part to the large and growing burden on their incomes of state levies imposed in the name of children.

Cultural developments have drawn age groups apart, too. Many new forms of music and whole categories of television and film have almost no cross-generational appeal. Private language, separate clothing fashions, and different tastes in food, cars, and consumer goods have always been hallmarks of youth, but only recently has our commercial culture been so efficient at splitting generations into marketing niches. (Does anyone over 30 watch MTV? Does anyone under 60 read *Modern Maturity*?) All of this is exaggerated by demographic and economic trends (fewer family meals eaten together, fewer all-family events in general, more money for teens to buy their own cars, a lot more single-person apartments, etc.). Put together, these changes may yet make generation-based political and cultural horizon-scanning a tenable undertaking.

Whether you think that day has arrived or not, several of the essays in this volume present worthwhile commentary. Susan Vigilante contributes an interesting description of baby boomers' powerful attraction to Alcoholics Anonymous–type recovery groups, suggesting that the Twelve Step program may offer millions of them a path back to religious truths. George Sim Johnston takes a less optimistic view of his generation's spiritual capacities and considers the watered-down alternatives that have replaced traditional religious teachings.

Maggie Gallagher defends yuppies against the charge that they are grasping and unreasonable in their material expectations. Andrew Ferguson describes tellingly how cynicism, and indeed a complete inversion of traditional truths, has today become the dominant mode of intellectual interpretation and understanding. John Podhoretz's wise observations on how baby boomers' views of children have evolved over time—from millstones around a parent's neck, to independent and self-moderating mini-adults, to pathetic victims (and therefore political footballs)—left me wishing he would do more of that kind of writing and fewer goofy newspaper columns. And David Brooks adds a very funny and apt cartoon of the diseased Washington power hound.

Unfortunately there is also some dreadfully stuffy arts criticism here, too much self-absorption, and much too much in the genre of my-coming-of-age-as-a-turning-point-of-our-era. There are a few shapeless clinkers and one strange piece mourning (quite rightly, in my opinion) the disappearance of qualities like valor, decisiveness, and ferocity among today's youth, while attributing it all to an absence of wartime experience (quite mistaken in my judgment, given what a bureaucratic endeavor battle has become in the modern era). But a certain jaggedness is normal for any multi-author collection. There's enough good thinking and writing here to reward a reader's time.

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## Mad Lib

BY STANTON PEELE

**Madness in the Streets: How Psychiatry and the Law Abandoned the Mentally Ill**
**By Rael Jean Isaac and Virginia C. Armat, New York: The Free Press, 348 pages, $24.95**

**Out of Bedlam: The Truth About Deinstitutionalization, by Ann Braden Johnson**
**New York: Basic Books, 259 pages, $22.95**

If you spend some time walking the streets of New York City or Los Angeles, you're likely to encounter at least one foul-smelling man in ragged clothing whose shuffling gate, incoherent ranting, and wild eyes suggest a confused and disordered mind. Or perhaps a woman in a housecoat and slippers, muttering to herself as she pushes a shopping cart filled with junk.

These are the conspicuous homeless, but are they typical? Are most Americans living on the streets crazy? If so, it seems plausible to suggest that their current state can be blamed on deinstitutionalization—the policy, begun in the 1960s, of removing the mentally ill from state institutions.

*Madness in the Streets* makes the case that the release of inmates from the large mental hospitals where they had been warehoused for years is the principal source of the apparent surge in homelessness in the United States. The authors view deinstitutionalization as the expression of a radical 1960s ideology. The policy was ill-founded and bound to fail, Rael Jean Isaac and Virginia Armat claim, because it mistook the nature of mental illness, its sources, and its cure. Isaac and Armat maintain that mental illness—particularly schizophrenia—is a sickness of the brain that is best dealt with through drug therapy.

In *Out of Bedlam*, Ann Braden Johnson casts doubt on Isaac and Armat's conclusions about the causes of homelessness and the nature of mental illness. She argues that deinstitutionalization put relatively few people on the street and that economic factors play a more important role in homelessness than mental illness does. She is also far less sanguine about the medical approach and focuses instead on community-based programs.

Both books seek to explain why deinstitutionalization has not accomplished what it set out to do: reintegrate the mentally ill into the community. For Isaac and Armat, the solution is to send the

mentally ill back to the hospitals, where they can undergo surgery and drug therapy. Johnson outlines the appeal of the argument that the homeless are crazy and craziness can be cured: "If the homeless are all crazy, then we have a built-in solution: treat mental illness, and homelessness will go away, too."

But the actual distribution of patients who were "deinstitutionalized" contradicts this notion. In the large majority of cases, Johnson notes, patients were simply shifted to other institutions. In 1981, the National Institute of Mental Health estimated that the number of chronically mentally ill Americans was between 1.7 million and 2.4 million. Almost a million were in hospitals, prisons, and nursing homes, and another 400,000 were living in a new type of institution called "adult homes." Thus a majority, perhaps as many as three-quarters, continued to live in institutions. (The rest of the mentally ill are not necessarily homeless; many live with their families, for instance.)

If most of the mentally ill are still in institutions, then deinstitutionalization does not seem to be a major source of homelessness. Johnson argues that homelessness has instead been caused largely by unemployment, the scarcity of affordable housing, and cutbacks in public assistance programs. Isaac and Armat note that the best estimates place the number of homeless at about 500,000 nationwide, a number dramatically lower than the estimates of advocate organizations. Given the uncertainty of these figures, it's difficult to say by how much—or even whether—the homeless population has increased since the '60s.

Evidence from surveys of the homeless also runs counter to Isaac and Armat's thesis. Studies have found that from 20 percent to 30 percent of the homeless are mentally ill but that more may be alcoholics or addicts. A Johns Hopkins University Medical School study published in 1989 offered a higher than usual estimate of the percentage of the homeless who are mentally ill: about 45 percent. But the same study found that 68 percent of homeless men were alcoholics and 22 percent were drug addicts. Of course, the mentally ill and addict/alcoholic populations overlap. But these data suggest that drug and alcohol abuse are more important sources of homelessness than schizophrenia is.

The two books differ not only on the issue of how many homeless people are crazy but also on the question of how to help those who are. The authors' backgrounds have shaped their views of the medical approach to mental illness. Ironically, Johnson—whose analysis is largely economic, historical, and political—is a clinical social worker who has treated the chronically mentally ill for more than 15 years. On the other hand, Isaac is a sociologist and Armat is a professional writer.

**If the homeless are all crazy and craziness can be cured, then so can homelessness. But in reality, the solution is not that simple.**

Not being therapists or physicians and not having worked directly in the mental health field, Isaac and Armat are overly optimistic about medical treatment of mental illness. While noting cases of patient abuse, misdiagnosis, and mismanagement, they tend to dismiss these as exceptions that prejudice the public against genuinely effective medical therapies.

By contrast, Johnson gives a thorough historical review of the reasons mental institutions failed in the first place. These failures are not only the extreme cases, like those depicted by Frederick Wiseman in his 1967 film *Titicut Follies*, which documents abuse and neglect in a Massachusetts mental hospital. For Johnson, the entire institutional treatment system is shaky, relying as it does on drugs to sedate and control patients while almost never leading to permanent improvements.

For their part, Isaac and Armat laud biomedical treatments for insanity. They even cite the Nobel Prize awarded to Egas Moniz for developing the lobotomy operation—an award more commonly regarded as an embarrassment for the Nobel Committee than as a tribute to the efficacy of biological treatments. (Elliot Valenstein offers a more critical picture of lobotomy and all the other discarded "magic bullet" treatments for mental illness in his 1986 book *Great and Desperate Cures*. Valenstein shows that each new psychiatric remedy has been greeted enthusiastically, only to be discarded in light of negative long-term results.)

Johnson began her career when psychiatrists generally treated mental illness by sedating patients with mind-numbing Thorazine. Since that time, antidepressants have replaced the major tranquilizers as the "miracle" drug therapy for the mentally ill. As a number of recent legal claims by patients against Prozac (the most popular antidepressant) indicate, this new cure will also founder on the shoals of exaggerated claims, inflated expectations, growing observations of negative side effects for many, and intractable personal and social problems.

Isaac and Armat believe that emotionally disordered people should be forced to accept medical treatments they don't want, since their disease prevents them from making sound judgments on their own behalf. This argument is Isaac and Armat's response to a major difficulty in their approach: If the therapies they espouse are so helpful, why do so many people refuse treatment?

In fact, mentally ill patients may be acting quite sensibly, given the numbing and traumatic effects of electroshock and drug therapies. Yet Isaac and Armat reserve their greatest contempt for those, like psychiatrist Peter Breggin, who defend the right of patients to refuse medication and surgery. Included in their frequently ad hominem attacks are former mental patients and homeless advocates who contest coercive psychiatric practices.

Johnson does not subscribe to the Pollyanna school of thought that sees mental illness as simply a different, equally valid

view of life. She recognizes the suffering and despair of the mentally ill and understands that some people need to lead supported and circumscribed existences. At the same time, she appreciates the insights of radical psychiatrists such as Thomas Szasz and R.D. Laing. For Isaac and Armat, on the other hand, Szasz and Laing, along with psychiatric critics such as Breggin, are the bêtes noires of the modern treatment quagmire.

Szasz described mental illness as a myth created to categorize and dispose of those who are unwilling or unable to conform to social norms. While it seems indefensible today to take a completely laissez-faire approach to the emotionally disturbed, Szasz's philosophy contained important ideas that can help revitalize therapy for the mentally ill. It's true that we need to be wary of assertions that some people are inherently sick. When you strip away the labels and self-reinforcing expectations about the mentally ill, you're left with people who have difficulty coping with the everyday demands of life. But removing stigmas is not enough. The emotionally disabled need extra support to manage their lives. This is the idea behind the policy of moving patients to supportive community-based institutions.

Psychiatrists increasingly recognize that using drugs to remove symptoms such as hallucinations and delusions does not address the core problems of the mentally ill. Rather, contemporary treatment is more likely to focus on the self-perpetuating apathy and lack of coping skills that make it difficult for the mentally ill to escape their plight. There have been several highly successful demonstrations of this approach, including one reported by the *New York Times* in 1986: "A 30-year study of hospitalized schizophrenics who had been given up on as hopeless, but were released in a program that closely manages and monitors their lives, has found that two-thirds of them are now living normal lives...half of them without any signs of the disorder."

Results such as these led many to believe that deinstitutionalization was the route to take in the '60s and '70s. But this kind of community program, which was supposed to supplant state hospitals, is still quite rare. As Johnson makes clear, mental institutions discharged patients without offering the support required to develop community alternatives. Owners and managers of adult homes today keep their residents docile with the same medications used in hospitals.

Johnson notes that the failure to implement real alternatives is not saving any money. The cost of care for the mentally ill continues to rise, even as therapy remains largely ineffective. But these costs are not recognized by the state bureaucrat, medical provider, or adult-home manager, who is instead driven by union contracts for hospital workers, lucrative psychiatric referral fees, or residential head counts.

Still, Isaac and Armat's proposed revival of coercive treatment is not the answer. If implemented, their vision would lead to another round of exposés about mental institutions and a new movement against medical therapy for mental illness. Furthermore, their approach is no solution for homelessness, which is linked to basic societal failures: the failure of treatment for drug, alcohol, and emotional problems; the failure to implement useful community-based programs; and the breakdown of community in general.

Cohesive neighborhoods are necessary for the creation of community-based support services. If urban ghettos cannot maintain safe and effective institutions, they won't be places where the mentally ill can be protected and nurtured. Moreover, neighborhoods that are economically and socially unstable are associated with higher levels of dysfunctional behavior, including both drug addiction and mental illness, in the first place. (Mental illness is more common among members of lower socioeconomic groups, a fact first documented by sociologist August Hollingshead in 1958.)

Helping both the homeless *and* the mentally ill in the United States is a daunting task, especially since their numbers are growing. Each year in this country, for example, another 100,000 people are diagnosed as schizophrenics. Yet Americans seem ambivalent about helping those incapable of living independently. We are less willing than ever to interact even with neighbors who aren't crazy. What chance is there that we will welcome into our communities the woman with the junk-filled shopping cart or the man railing at invisible powers?

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## Trouble in the Tropic of Cancer

BY MICHAEL FUMENTO

**The Cancer Industry: Unraveling the Politics, by Ralph W. Moss**
**New York: Paragon House, 460 pages, $21.95**

In 1972, the year President Richard Nixon declared war on cancer, one out of four Americans could expect to contract cancer, and one out of five could expect to die from it. Eighteen years and more than $18 billion later, cancer still strikes at that same rate, and one American in five will still die of it.

In 1970, about 300,000 Americans died of cancer; in 1989, about 500,000 did. The increase in yearly cancer deaths between then and now is more than twice the total number of AIDS deaths over the course of the entire epidemic. Some of this increase is due to the aging of the population (as a person gets older, the odds of contracting cancer increase). But even accounting for this, both cancer and cancer deaths are on the upswing. Only heart disease kills more Americans each year, but heart-disease mortality has dropped dramatically over the last two decades.

If you find this disturbing, you're not

alone. In 1980, Ralph W. Moss wrote a book about it, *The Cancer Syndrome*. Now he's dusted off his manuscript, updated it considerably, and released it under a new title. And the damned thing is, he found there has been little progress in cancer research in the last decade.

Moss was assistant director of public affairs at Memorial Sloan-Kettering Cancer Center in New York, probably the nation's most prestigious cancer clinic, but claims he was fired for his "opposition to their coverup of positive data on laetrile." This action is obviously unforgiven, and it lends to the book a sort of dark air of pessimism.

The cancer industry, says Moss, abounds with cynicism. It seeks to perpetuate itself by administering treatments of dubious value, by announcing breakthroughs that aren't, and by refusing to fund—or even attempting to shut down—competition.

Moss acknowledges that there has been some progress in treating cancers of the breast, skin, prostate, and testicles. But the prognosis for most cancers is as bleak as ever. If you're diagnosed with cancer of the liver or pancreas, you're still practically guaranteed an early visit by the Grim Reaper. Good, solid life-extending advances have been few and far between.

Not that you'd know this from listening to pronouncements from the *cancer establishment*, Moss's term for a collection of public and private institutions including the National Cancer Institute, the American Cancer Society, and Sloan-Kettering. These pronouncements include the much-ballyhooed claim that the cure rate for cancer has jumped from 40 percent to about 50 percent in the last decade.

"Cures" in cancer are generally measured by surviving five years past diagnosis. This, in itself, is a bit misleading. By this standard, Jill Ireland, who recently died of breast cancer, was "cured."

But a standard is a standard—unless it is changed. From 1973 to 1978, five-year survival time had increased from 38.5 percent to 40.1 percent, hardly a dramatic improvement. So, says Moss, the "cancer warriors...found a more impressive set of figures to bring before Congress, a variant on the five-year survival statistic called the relative survival rate." This new standard assumed that a certain percentage of those dying of cancer between diagnosis and year five would have died of something else, a heart attack or axe murder or what have you. By applying this new standard, suddenly cures jump from about 40 percent to 49.2 percent—and the crowd cheers.

"This is where the 'fifty percent cured' claim comes from," writes Moss. "Heady from this paper success, the NCI and the National Cancer Advisory Board have called for doubling this alleged cure rate by the year 2000. Such a vast improvement, we are told, will mean the saving of hundreds of thousands of lives." Or at least a few researchers' jobs.

**The "cancer establishment" plays games with statistics to create the illusion of therapeutic success while rejecting unconventional treatment alternatives.**

The cancer establishment plays other games with statistics. Figures for blacks—who contract and die from cancer at much higher rates—are listed separately, preventing them from depressing the statistics. And in its 1990 budget request, the NCI notes, "In 1971, only 35 percent of patients were cured of cancer...today half of all cancer patients can be cured," thereby neatly confusing actual cures from 1971 with potential cures today.

Such horseplay with facts and statistics is hardly unique to the cancer field. The AIDS industry pumped up its research funds by exaggerating the scope of the epidemic and now maintains that funding by exaggerating medical progress to a point where it treats the toxic drug AZT—which extends life an average of only six months—as some kind of miracle pharmaceutical, simply because it hasn't come up with much else. But Moss, after spending a chapter each on the drawbacks and limitations (probably somewhat overstated) of radiation, surgery, and chemotherapy—the so-called proven methods—goes on to claim that pseudoprogress in these areas has resulted in dampening the progress of many promising alternative therapies, including bacterial toxins injected directly into tumors, hydrazine sulfate, antineoplastines, nutritional therapy, and megadoses of Vitamin C and laetrile.

For example, the cancer establishment vehemently rejects laetrile as a treatment for cancer. But Moss notes that in raw form it has been used for centuries as an anticancer therapy, that there is a strong theoretical basis for its alleged ability to inhibit tumor growth, and that one of the most respected scientists at Sloan-Kettering believed that he had demonstrated the substance's anticancer value in laboratory animals and defended the results until his death.

Moss knows that using the word *conspiracy* is the kiss of death, landing him in the same camp with grassy knollers and those who claim that fluoridation is a communist plot. So he expressly disavows such a claim, asserting instead, "The suppression of unorthodox methods—and the promotion of the orthodox approach—takes place mainly at an objective, unconscious level. It is an outgrowth of underlying economic and social trends rather than of conscious design....It is the system itself, rather than any particular clique of individuals, which is really to blame for failure to make progress against the cancer problem. In particular, the fact that cancer management is itself a big business means that it must function according to the rules of profit-oriented institutions."

Treatments that come from outside the establishment usually use drugs or other substances that are unpatentable and of very little economic interest. Further,

their implementation brings no glory to the establishment. Moss easily deflates the American Cancer Society's claim that effective drugs developed outside the medical establishment are readily made available after normal testing by showing that the two drugs that the ACS cites as examples—penicillin and the Salk polio vaccine—suffered tremendously because they came from outside the system.

Nevertheless, Moss could have gained a lot more credibility if he had only discussed some current allegedly quack treatments that truly are quackery. He never does. In fact, several times the Hoxey herbal treatment is mentioned, somewhat favorably on one occasion, without any mention that when its developer, Harry Hoxey, was himself diagnosed with prostate cancer, he eschewed his own treatment and instead received conventional therapy. One can easily get the idea from Moss's book that *any* alternative to orthodox cancer treatment is superior to those promoted by the cancer establishment. This obviously isn't true, but Moss does convince the reader to take the official pronouncements on alternative therapies with at least a grain of salt.

Moss also provides a service by pointing out that cancer prevention is far more cost-effective than cancer treatment and deserves far more attention than it has received. Unfortunately, he does himself no credit, and his reader no favor, when he twice cites the bizarre, completely unfounded assertion of Samuel Epstein, author of *The Politics of Cancer*, that oil refineries cause 30 percent to 40 percent of *all* cancers. But on the whole Moss's thesis is well-argued and impressively documented. Alternative cancer therapies do deserve serious attention. As the author states in his preface, "A million new cases a year demand no less."

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**Meltdown: Inside the Soviet Economy, by Paul Craig Roberts and Karen LaFollette, Washington: Cato Institute, 152 pages, $19.95/$9.95 paper.** Empty shelves at state grocery stores and a mad rush to send food aid from the West as the harsh Soviet winter set in dramatized the grave condition of the Soviet economy. Soviet leader Mikhail Gorbachev last fall first embraced, but quickly distanced himself from, a reform plan offered by Kremlin economic adviser Stanislav Shatalin which called for the establishment of private property, privatization of state-owned industries, creation of a stock market, and other radical reforms—all within 500 days.

The result: almost complete economic breakdown. Ordinary Soviets stockpiled even the notoriously awful canned "Tourist's Breakfast" soup in anticipation of a food crisis whose severity has not been seen since World War II.

The failure of central planning is obvious, yet as recently as April 1988, U.S. intelligence agencies told Congress that the Soviet economy was growing steadily at 2 percent a year. This optimistic assessment, as Paul Craig Roberts and Karen LaFollette report in *Meltdown*, was not even shared by the Soviets. In fact, the authors note, had Gorbachev only two months previously told the Central Committee of the Communist Party that, with the exceptions of vodka and crude oil sales, the Soviet economy had not grown in 20 years.

Roberts and LaFollette argue that inaccurate analyses left many in the West unprepared for the Soviet economy's failure, a failure they document well in a highly readable survey based primarily on reports in the *glasnost*-era Soviet press. The authors also deliver an economic reform outline and a devastating critique of Western Sovietologists and journalists who for too long ignored evidence of human rights abuses and a failed economic system.

With Western complicity, "the failure of Soviet socialism was hidden for decades by the availability of vast quantities of easily accessible resources, and by a vast landscape, large seas, lakes, and fabled rivers to serve as reservoirs for industrial pollution." A semi-controlled economy, requiring two and one-half times as many inputs per unit of output as the U.S. economy does, has squandered these resources and caused environmental destruction linked to public health problems and rising mortality rates.

The communists succeeded in remaking the Soviet economy into a "centrally directed administrative system of products exchange," the authors state. "They were unable to do away with money....[T]he centralized supply distribution systems, cornerstone of their efforts, is a notorious failure. They did succeed in suppressing rationality, however, by abolishing price and profit signals and the incentive of private property. The result is a system that is more or less organized like a market but without the rational criteria of markets."

This is the authors' central insight. Instead of responding to consumer demand or profit and loss, Soviet managers operate in a market of government-set gross output targets, where prices have little or no relation to market value. When output goals conflict, managers must choose which ones to meet based on available supplies and potential political fallout from quotas left unmet. To fill supply gaps, factory managers hire *tolkachi*, independent brokers who work for more than one company at a time; their fees are, of course, hidden by accounting trickery.

Managers will sometimes meet output goals in bizarre fashion, as Roberts and LaFollette illustrate with numerous entertaining examples. A shoe factory made 100,000 pairs of boys' shoes, instead of a range of men's sizes, "because it could churn out many more pairs of the smaller boys' shoes from its limited supply of shoe leather." In the oil industry, managers are rewarded according to meters drilled per month. Thus they tend to drill many shallow, unproductive wells instead of a few deeper, productive ones, because drilling slows at greater depths.

In order to rebuild the wrecked Soviet economy, the authors suggest reforms that are strikingly similar to Shatalin's "500 Days Plan," an encouraging sign in itself. But if reform efforts are to succeed, they say, profit incentives must be substituted for output targets and "private property must become a reality," changes the *nomenklatura* surely will resist.

**—Thomas Harvey Holt**

# I, WARMONGER

BY THOMAS W. HAZLETT

The presumption is always against war. The moral absurdities, the incredible cost, and the unanticipated calamities jointly and severally render military attack the nth resort. And as resorts go, it's a Hotel Hell. But the occasion comes when it's time to check in. We wisely kept our reservations for January 16.

I have great sympathy for those who want to decommission our global military outreach and simply beef up the Border Patrol. I protested the Lebanon fiasco even before the 241 Marines were taken out by a fanatic named Abdul driving a '62 Ford pickup. I thought the Persian Gulf reflagging program was the devil's work. I understood that Ollie North screwed up the Nicaragua deal so perfectly as to meet the highest standards of federal government boondoggles. I even thought the Grenada invasion was d-u-m dumb. But today, call me a reluctant warmonger.

A large share of the 200 million people inhabiting the desert suburbs of Israel wake up in the morning dreaming about the death of every single Jew on the planet and go to bed chanting to Allah to make it real. They spend significant portions of their tiny capital stock making huge trouble for other people who are constrained by the moral parameters of conscience. Now a particularly virulent subset arises in Iraq's Husseiniacs: millions of people with bad attitudes, all pointed in the same direction.

Saddam's admirers claim to despise Zionism, but their real animosity is for capitalism, democracy, and liberty—indeed, every social advance past the pathetic 12th-century goat-herding feudalism they so cherish. They treat their women like cattle and ooze with contempt for the simplest human civilities. (Their attitudes are shaped largely by a religion that has little respect for liberal niceties. Example: When some bozo writes a book satirizing official doctrine, true believers issue a death sentence for the author, whereas the worst we ever do in the West is ruin the movie version.)

Since 1972 the massed Jew-haters of the Middle East have had the globe by the short hairs. Unable to gain an inch of Israeli turf militarily, they turned to terrorism against innocents. This has constrained the world's every move. It's particularly effective as a means to jack around civilized societies, which do not respond in kind. Saddam Hussein has ultimately performed a gracious favor. Now we have a target.

Surely, unrequited abominations abound. Third World countries invade each other on sort of a round-robin basis, slaughtering large numbers of bystanders just as a prerequisite. And domestic violence: the Soviets boffing the Baltics, the Saudis' enslavement of women. But reality provides the binding constraint here; we can do little about these human outrages without putting the very moral values we (initially) seek to promote in far worse shape over time.

Iraq's kidnapping of Kuwait is different on this operational level: We can strike the Iraqi military; we can move the perpetrators out. Outrages that cross clearly defined borders tend to rage more outwardly; they directly threaten the world community in ways domestic oppression does not. Particularly when every oil consumer on earth will pay a hefty tax pursuant to the hostile takeover. The fact that the world has lined up, that the United States is in bed with the Soviet Union, and that the miracle of miracles—resolute U.N. action—has occurred dramatically improves the chances for decisive action against evildoers.

As does the depravity of the doers. Let's see the Saddam tote board, here: genocide, gas warfare, sponsorship of international terrorism, invasion of a neighboring country on the ground that it underpriced his exports (stand back from Sears before Kmart responds to the new all-discount policy with Scuds of its own). I don't blame the world for being concerned. This guy gassed Kurds, and his men have had their way with every Kuwaiti woman of less than 500 pounds. Now he's got his hands on Kuwait's $500-billion oil stockpile, with which he can play the international arms black market. (Imagine if Nixon had had this kind of a "dirty tricks" budget.)

If there is a minimum civilized bound, you've got to say S. Hussein has trampled it. Here, the world has both abundant cause and abundant ability. If we look away here, we look away anywhere. The line surrounding acceptable conduct has been terribly stretched in this century. But now a line can be drawn anew: around Saddam Hussein.

If the world can't deal some justice out of this hand, there's no point in reshuffling. Just leave the table quietly. Failure to respond to this test case of incoming barbarity would send back a very clear signal to the world's crazies huddled in the Middle East: Anything goes—the world has no anti-insanity defenses in place. The Munich Olympics? Oh, that's just the starting gun you hear. *Achille Lauro?* Bon voyage. Pan Am Flight 103? Enjoy your in-flight movie. William Buckley? We hated "Firing Line." Kuwaiti invasion? You'll have a ball—those Arab chicks are screamers.

We finally have the opportunity to respond to the terrorisms of the Middle East. Making Iraqi dictators play by the rules of the house can cause quite a stir. But the world needs to play by the rules. Which is why, when we can, we hire a bouncer. Now, at long last, we can.

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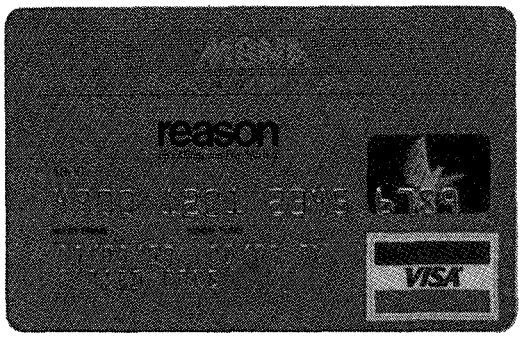


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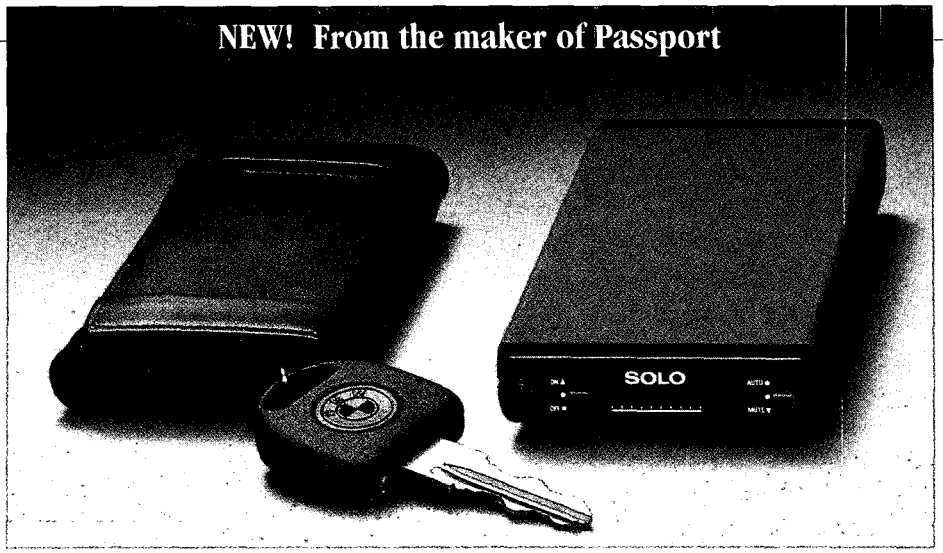


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